

11-20-1868

# Message of the President of the United States and accompanying documents, to the two Houses of Congress at the commencement of the third session of the Fortieth Congress : Report of the Secretary of War, 1868

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## Recommended Citation

H.R. Exec. Doc. No. 1, 40th Cong., 3rd Sess. (1868)

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MESSAGE

OF THE

PRESIDENT OF THE UNITED STATES

AND

ACCOMPANYING DOCUMENTS,

TO THE

TWO HOUSES OF CONGRESS

AT THE

COMMENCEMENT OF THE THIRD SESSION OF THE FORTIETH CONGRESS.



WASHINGTON:  
GOVERNMENT PRINTING OFFICE.  
1868.

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REPORT

OF THE

COMMISSIONERS

OF THE

OF THE

WASHINGTON

GOVERNMENT PRINTING OFFICE

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REPORT  
OF THE  
SECRETARY OF WAR.

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PART I.

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REPORT OF THE

COMMISSIONERS

OF THE LAND OFFICE

PART I

# REPORT

OF

## THE SECRETARY OF WAR.

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WAR DEPARTMENT,  
*Washington City, November 20, 1868.*

MR. PRESIDENT: I have the honor to submit a general report of the operations of this department since the last annual report of the Secretary of War, with the reports of the chiefs of bureaus and military commanders for the same period.

### ADJUTANT GENERAL'S DEPARTMENT.

The strength of the army on the 30th of September was 48,081, which by the first of January next will be reduced, by the expiration of term of service alone, to about 43,000.

Orders were issued in November last to reduce all regiments of infantry and artillery (except 10 light batteries) to 50 men per company. No recruiting rendezvous are now in operation except for the cavalry service, and the expense of the recruiting service is reduced to the minimum.

All volunteer officers except one have been mustered out of service.

At the suggestion of Lieutenant General Sherman authority was given on the 6th of October last for the muster-in of one regiment of volunteer cavalry from the State of Kansas for service against hostile Indians. The service of this regiment is not expected to exceed six months, after which it is hoped the regular cavalry will be sufficient for the frontier service.

It may be reasonably expected that a considerable reduction of the infantry of the army may be made within the next year without detriment to the interests of the country. I recommend that such reduction be authorized by law to be made gradually by ordinary casualties, by discharge of incompetent and unworthy officers, and by consolidation of regiments. I also recommend that the four regiments constituting the Veteran Reserve Corps be disbanded, officers unfit for active service to be retired, and all others to be transferred to active regiments.

The term of enlistment for all arms of the service should be increased to five years, as a measure of economy and efficiency.

### INSPECTION SERVICE.

Through the agency of the inspection branch of the service, the entire army, with a few exceptions, otherwise especially provided for, has been

thoroughly and constantly inspected during the year, and numerous special investigations have been made, resulting in material improvement in the efficiency of the troops, in the economical management of the administrative branches, and in the care and disposition of public moneys and property.

Both here and abroad inspections have come to be regarded as indispensable to successful management of a military establishment, and the conviction of the usefulness is everywhere gaining ground.

The importance of the duties to be performed, and the insufficient number of officers of the regular inspection service, has resulted in the adoption of a system whereby the required number will be supplied by detail of field officers in addition to the regular inspectors, the selections to be made by the War Department. This plan is designed to secure officers of proper capacity, judgment, and experience, and to obviate the necessity of an immediate increase in the corps of inspectors, which now numbers but nine officers.

#### BUREAU OF MILITARY JUSTICE.

The officers of this bureau consist of a Judge Advocate General, an Assistant Judge Advocate General, and eight judge advocates. The two vacancies in the grade of judge advocate, and the absence of any legal provision for filling them, has prevented a compliance with several applications from department commanders for such officers.

The work of the bureau is comprised in 15,046 records of military courts received, reviewed, and registered, and 1,457 reports on various subjects especially referred for opinion.

It is recommended that the number and grades of officers of the bureau be *permanently* fixed by law, so that vacancies may be filled.

#### SIGNAL SERVICE.

Provision has been made during the past year for such general instruction in military telegraphy and signaling as may be necessary for the service. Books of instruction have been furnished each company and post, and steps have been taken to provide necessary telegraphic apparatus and the equipments for signalling.

The courses of study in military telegraphy and signalling have been pursued with success at the Military Academy at West Point. By concert with the officers of the navy, nearly similar courses of study and practice in these branches have been had at the Naval Academy at Annapolis.

A drill with a field electric telegraph train has been introduced and practiced at West Point, the cadets discharging all the duties of running out and erecting the lines, working the telegraphic instruments, and sending and receiving messages by sound.

A school of telegraphy and signalling has been established at Fort Grebel, Maryland, and is in successful operation. At this school selected

officers and enlisted men are instructed in all the duties pertaining to the service with electric telegraphs and signals. A simple telegraphic code, easily acquired, is used for this purpose.

The report of the Chief Signal Officer, and the sub-reports covered by it, give details of the duties of his office for the past year, and the results so far attained.

#### QUARTERMASTERS' DEPARTMENT.

The report of the Quartermaster General shows the total expenditure of that department during the fiscal year ending June 30, 1868, including claims for stores taken for the use of the army during the war, to be \$36,506,381 53. Claims for property taken during the war have been allowed to the amount of \$500,313 28; rejected, \$2,654,430 38; and are still pending to the amount of \$6,905,691 18.

In the national cemeteries 316,233 remains of soldiers have been collected, of which 175,764 are identified. The total cost has been about \$2,700,000.

The fire-proof warehouse at the Schuylkill arsenal has been completed, and the expense of rent greatly reduced thereby. The warehouse authorized at Jeffersonville will not be erected, as that depot will be broken up. The \$150,000 appropriated for that warehouse has been remitted to the treasury.

Of the debt of southern railroads for material sold to them after the war, \$4,627,695 77 remain unpaid.

The erection of a suitable building to accommodate the several branches of the War Department is recommended as a measure of economy and efficiency.

An appropriation of \$50,000 is asked for a stock farm to supply horses for the cavalry.

No appropriation for clothing or camp equipage is required.

An increase of the number of assistant quartermasters to 50 is urgently recommended as necessary to the proper administration of that department.

Attention is invited to the operation of the joint resolution of March 30, 1868, by which the control of the appropriations for the War Department is taken, in a great measure, from the Secretary of War and vested in the accounting officers of the treasury, in consequence of which large sums have been and are being paid from those appropriations contrary to the advice and opinion of the War Department.

#### SUBSISTENCE DEPARTMENT.

During the past year the supplies for the army have been mainly purchased in the large markets of the country, though the policy has been steadfastly adhered to of purchasing near to the points of consumption whenever and wherever the same could advantageously be done. The prospect of supplying the troops in the Territories and on the Pacific in

this manner is increasing, and the subject is being diligently inquired into by the department.

The average cost of the army ration during the year has been slightly above 23 cents.

Tobacco to the monthly value of \$20,000 has been furnished the troops at cost prices.

Subsistence to the value of over \$630,000 has been supplied for the purposes of the freedmen's bureau, and to the value of more than \$370,000 for the support of Indians—a large decrease in both instances.

In settlement of the claims for commutation of rations of Union soldiers while prisoners of war, \$134,056 have been expended.

On account of supplies taken for the use of the army during the war, claims to the amount of nearly \$3,000,000 have been received, of which nearly \$200,000 have been allowed, \$630,000 are awaiting decision, and the balance have been rejected for various causes.

The officers of the subsistence department number 29; but accounts have been received from time to time during the year from over 800 different officers. The appointment of assistant commissaries of subsistence from lieutenants of the line, with a trifling increase of pay while so acting, is again recommended, as is also the appointment of post commissary sergeants.

Measures have been instituted for executing the law abolishing the office of army sutler, by providing a considerable variety of articles for sale to officers and men.

There remains a large unexpended appropriation for this department which should be returned to the treasury, and an appropriation made of the sum necessary for the next fiscal year.

#### MEDICAL DEPARTMENT.

No cases of the epidemic cholera or yellow fever which prevailed among the troops at the date of the last report have been reported during the present year.

One hundred and forty-six thousand one hundred and ninety-seven cases (being an average of three for each man in service) received medical treatment during the year ending June 30, 1868, of which about 90 per cent. were cases of disease, and the rest of wounds, accidents, and injuries. The total number of deaths from all causes was 1,621, of which about 88 per cent. was from disease, and the rest from wounds, injuries, and accidents; 452 deaths were from yellow fever, and 228 from cholera. The discharges upon certificate of disability number 1,074. The strength of the army during this period was 50,000 men.

Sixteen casualties (including five deaths) have occurred in the medical corps, and there are 49 vacancies in the grade of assistant surgeon.

The actual expenditures during the fiscal year were \$842,124 20, and the balance on hand was \$1,473,792 20 on the 30th of June last.

## PAY DEPARTMENT.

The disbursements of the pay department during the last fiscal year have been—

For the regular army .....	\$17, 803, 968 53
For the Military Academy .....	169, 199 04
To volunteers .....	42, 696, 444 08
Total .....	<u>60, 669, 611 65</u>

There are now in service 59 paymasters of the regular establishment and 18 of the temporary establishment, it being expected that all of the latter will be mustered out prior to the date of the next report.

In the report of the Paymaster General the organization of the pay department is discussed; the advantages of the present system over the old system of regimental paymasters pointed out; the causes why payments cannot be made monthly, or even more frequently and regularly than now, stated, and the impracticability of reducing the present authorized number of paymasters, (60,) even with a large reduction of the army, demonstrated.

Attention is asked to the statement, that while under the old system, during the war of 1812, the defalcations and expenses amounted to over 7 per cent. on the amount disbursed, under the present organization and during the late war the total losses, defalcations, and expenses amounted to less than three-fourths of 1 per cent. on the sums disbursed. During the Mexican war, under the present system, not a dollar was lost by defalcation.

The disbursements for reconstruction purposes have been \$2,261,415 02. There remains an available balance of \$467,626 46, which, it is believed, will cover all future expenses; but as the specific amount for each military district is fixed by law, authority is asked for the transfer of amounts from districts not requiring them to others insufficiently supplied.

During the year claims for additional bounty were allowed to the number of 241,992, involving an expenditure of \$23,649,157 78. Claims were rejected to the number of 19,407, and 109,104 were still unsettled at the close of the fiscal year. Since the date of the act 435,199 claims have been received, 387,091 paid, 32,403 rejected, and 15,705 were yet unsettled at the date of the Paymaster General's report. The total disbursements on these claims have been \$37,764,774 78, to which must be added the claims settled by the accounting officers of the treasury, bringing the aggregate up to more than \$54,000,000. The expense of settling these claims has been kept within five-sixths of 1 per cent. on the amount disbursed, or about the average cost of 70 cents per claim. It is recommended that the 1th of March next be fixed by law as the date beyond which no more claims will be received, and that all claims then remaining unsettled be transferred to the Second Auditor of the Treasury for disposition.



## ENGINEER DEPARTMENT.

All officers of the Corps of Engineers, except 15 employed on various special and detached duties, are engaged upon the permanent national defences, survey of the lakes, improvement of rivers and harbors, explorations, command and instruction of engineer troops, and in charge of the public buildings, grounds, and works in the District of Columbia.

Work on the permanent defences has been continued on a smaller scale, and reduced appropriations are asked to continue such work as is not liable to future modification.

Experiments with iron targets, shields, and other structures designed to resist heavy ordnance, have been and are being continued.

Three engineer depots have been established, at each of which engineers, trains and materials have been collected and will be held ready for service.

Estimates amounting to \$46,000 for erecting and continuing the erection of engineer barracks are submitted.

Extensive surveys for the improvement of rivers and harbors have been and are being made, and the preparation of the necessary plans is being conducted with great energy. The report of the Chief of Engineers, with accompaniments, will supply the information essential to legislative action.

The late appropriation of \$1,500,000 has been distributed, as designed by law, among those works where most required. Such modification of the contract system prescribed for these works, as experience has shown to be advisable, is again earnestly recommended.

The appropriations for public works in the District of Columbia have been well applied and with satisfactory results.

Geographical and geological explorations and surveys in the far west have been continued during the year. These surveys, and the military reconnoissances made by engineer officers accompanying troops, afford valuable information for military and other national purposes.

The several appropriations required for the various purposes of the engineer department are heartily recommended to favorable consideration.

## ORDNANCE DEPARTMENT.

The expenditures of the ordnance department during the last fiscal year, for all purposes, inclusive of the payment of war claims, were a little more than \$3,000,000—less than three-fifths of the expenditure of the preceding year.

There are 27 military arsenals in all, including the national armory at Springfield. The work done at them by the hired mechanics and enlisted men of the ordnance corps, under the direction of skilled officers of the corps, has been economically and satisfactorily performed.

Measures have been taken for the construction of the Rock Island

bridge, the sale of damaged and unserviceable ordnance stores, and the sale of Saint Louis and Liberty arsenals, all of which were provided for by law.

Legislative authority for the sale of the arsenals at Rome, New York, and Vergennes, Vermont, and the lands at Harper's Ferry, is again recommended, and the establishment of an arsenal at Omaha, or other suitable point, again advocated.

Highly favorable reports of the breech-loading converted Springfield musket have been received from those portions of the army where it has been distributed. Further supplies are now in preparation.

A few smooth-bore and rifle guns, of heavy calibre, are being made, for trial of their power and endurance. When the most suitable kinds have been determined, a large number of guns for fortifications will have to be made, and authority to make them as fast as can be done is asked.

The necessity of draining the extensive marsh-lands reclaimed by enlargement of the Washington arsenal grounds is set forth in the report of the Chief of Ordnance.

#### FREEDMEN'S BUREAU.

Large reductions of the officers and agents of the bureau have been made during the year, and arrangements are in progress to close it up by the 1st of January next, except the educational and claims divisions.

The abandoned lands yet in possession of the bureau are mostly worthless for cultivation, and will be restored at once or dropped from the returns.

Claims of colored soldiers to the number of nearly 2,000 have been settled through the bureau, without cost to the claimants, and a little more than 3,800 remain unsettled. Treasury certificates and checks for settlement of claims of colored soldiers and marines have been collected by the bureau to the number of 17,000, and to the value of nearly \$3,500,000.

Transportation has been furnished to 6,418 persons—less than one-third of the number transported last year.

Over 150,000 persons have received medical treatment during the year; 27 hospitals have been closed, and 21 yet remain; also six orphan asylums, which are in charge of the bureau.

Efforts have been made to turn over to the local civil authorities the charge of the sick, the infirm, and the insane, and in some instances with success.

The sanitary condition of the freed people has, in general, improved.

Subsistence supplies have been issued to a daily average of 16,000 persons, the number of rations issued during the year being 2,802,478. For a part of these supplies liens have been taken upon the crops.

The schools have in the main progressed, though in some places seriously injured by local opposition and want of means. Private associations have continued their liberal support, and teachers have labored faithfully, though in many cases beset with difficulties. The number of

day and night schools is 1,831, with 2,295 teachers and 104,327 pupils. The aggregate number of Sunday and day schools of all kinds is 4,026, with 241,819 scholars. The amount expended for support of schools during the year was \$942,523 66; this does not include the expenditures by benevolent societies, estimated at \$700,000, and by freedmen, estimated at \$360,000. Fifteen normal schools and colleges have been chartered or incorporated in different parts of the country.

The total expenditures of the bureau during the fiscal year were \$3,977,041 72. The balance on hand was \$3,622,067 99.

The Commissioner recommends appropriations to continue hospitals at New Orleans, Vicksburg, Richmond, and Washington.

To dispose of the school buildings it is proposed to transfer them to the corporations and trustees who now have them in charge, guarantees to be taken that they shall not be diverted from their proper uses. A grant of public lands in aid of the schools of the District of Columbia, of all grades, is recommended.

For an account of the operations of the bureau in the several States reference is made to the report of the Commissioner.

#### MILITARY ACADEMY.

The corps of cadets, on June 1, 1868, numbered 210 members, under the care and instruction of a superintendent, eight professors, and 32 officers of the army. Fifty-four members of the first class were graduated June 15, and appointed to the army. During the past academic year 96 candidates have been admitted into the academy, and 37 rejected. The cadets now at the academy number 225, which, under existing laws, can eventually be increased to 290. The necessity of a further increase is again mentioned, and the superiority of the Military Academy over all other plans lately proposed for meeting that want is pointed out by the inspector in his report.

The great value and importance of the annual board of visitors, both to the academy and the government, is referred to, and the report of the board for 1868 is attached to the inspector's report. The board report very favorably upon the discipline, instruction, administration and fiscal affairs of the academy, and recommend several appropriations as especially necessary to be made. They highly commend the public value of the institution, and ask for it a generous support. The favorable report of the board is concurred in by the inspector from personal observation during his semi-annual inspections. The charges once but no longer directed against the Military Academy, of its alleged costliness, exclusiveness, and the disloyalty of its graduates, are referred to and refuted by facts and figures, among the most interesting of which are the statements that during the late war, of the graduates from all the southern States, one-half remained loyal; that of the graduates from the actual rebel States, more than one-fourth remained loyal; and that of the graduates engaged on the side of the Union, one-fifth lost their lives.

The past honorable record of the academy, and its present high stand-

ing at home and abroad, are cited as evidence of the great usefulness to which it will in the future attain.

#### ARTILLERY SCHOOL.

This school was organized at the close of 1867 by order of the General of the army, and Brevet Major General Barry, colonel 2d artillery, was assigned to its command. It was established at Fortress Monroe, and one battery from each of the five regiments of artillery was ordered to that post as the instruction batteries for the first year.

The course of instruction adopted for the school is both theoretical and practical, embracing a variety of subjects, and is pursued both by the officers and non-commissioned officers of the batteries. The practical course for the present year has just been completed by an examination of the officers under instruction. The theoretical part of the course is now in operation and will likewise be closed, by an examination, before the 1st of April next. It embraces mathematics, military surveying and engineering, artillery, military history, and military, international and constitutional law.

It is believed that this school will supply a long-felt want in the artillery arm, and prove greatly beneficial to the military service.

#### EXPENDITURES AND ESTIMATES.

The actual current expenses of the War Department for the last fiscal year were \$68,743,094 71, to which is to be added the sum of \$9,961,406 43, old war debts paid during the year, making the total expenditures of the department \$78,704,501 14. The appropriations for the present fiscal year were \$35,400,557 47; the estimated deficiencies for the current year are \$13,975,000. It is estimated that the sum of \$65,682,388 85 will be required for the expenses of this department for the fiscal year ending June 30, 1870. There will be a surplus of \$60,240,221 81 from unexpended appropriations to be paid into the treasury at the close of the present fiscal year.

#### THE ARMY.

The General of the army submits, with the following letter, the reports of commanders of military divisions, departments, and military districts:

HEADQUARTERS ARMY OF THE UNITED STATES,  
*Washington, D. C., November 24, 1868.*

SIR: I have the honor to submit the reports of division, district, and department commanders for the past year. These reports give a full account of the operations and services of the army for the year, and I refer to them for details.

I would earnestly renew my recommendation of last year that the control of the Indians be transferred to the War Department. I call special attention to the recommendation of General Sherman on this subject. The recommendation has my earnest approval. It is unneces-

sary that the arguments in favor of the transfer should be re-stated; the necessity for the transfer becomes stronger and more evident every day.

While the Indian war continues I do not deem any general legislation for the reduction of the army advisable. The troops on the plains are all needed; troops are still needed in the southern States, and further reduction can be made in the way already used and now in operation where it is safe, namely: by allowing companies to diminish by discharges, without being strengthened by recruits, and by stopping appointments of second lieutenants.

If it should be deemed advisable, the veteran reserve regiments might be discontinued by absorption and retirement of officers and discharge of men without detriment to the service.

Very respectfully, your obedient servant,

U. S. GRANT, *General.*

General J. M. SCHOFIELD,

*Secretary of War.*

#### ABSTRACTS OF REPORTS.

*Military Division of the Missouri.*—This division, commanded by Lieutenant General Sherman, is composed of the military departments of the Missouri, the Platte, and Dakota, embracing the territory west of the Mississippi river to the Rocky mountains, and commanded respectively by Major General Sheridan and Brevet Generals Augur and Terry.

The war of races, which is the normal condition of things on the plains, has continued without interruption during the past year. The Indian peace commission, created by act of Congress last year to devise a practical and, if possible, a peaceful solution of our Indian troubles, and of which General Sherman was constituted a member, gave the unanimous opinion that peace with the Indians east of the Rocky mountains could only be secured by their collection on reservations and maintenance by the government till able to provide for themselves. Two such reservations were selected by the commission and treaties made with several tribes to go on them; but the necessary legislative action, setting apart the reservations and providing necessary governments for them, (these being the *vital* principles of the plan,) was not taken, and to this many attribute the failure of a lasting peace, and the occurrence of a costly war with four of the principal tribes with whom treaties were made.

Concerning the existing war, it is proved beyond dispute that it was begun by the Indians without any provocation whatever on the part of the whites. Its object is supposed to be to procure the abandonment of the Smoky Hill route, the best hunting grounds of America; and those engaged in it are believed to have been instigated by the Sioux, to whom the Powder River road had been abandoned at their entreaty, principally because it was of no further value; but they attributing this action to fear, doubtless so represented to the other tribes, thus leading them to

believe that they, too, could enforce a compliance with their demands. The troops have been re-enforced by seven companies of cavalry, and a mounted regiment of Kansas volunteers will soon be in active service. With these it is designed during the coming winter, the only time for efficient operations, to punish the hostile Indians so that they will not again resort to war, and to collect them by force upon their reservations and compel them there to remain. It is useless any longer to attempt the occupation of these plains in common with these tribes. The country is adapted only to grazing, which necessitates scattered settlements, while the horses and cattle tempt the hungry Indian, who, deprived of his accustomed subsistence, will steal rather than starve, and will kill in order to steal. With such opposing interests the races *cannot* live together, and it is the Indians who must yield. They have been assigned reservations which, in 50 years, will enrich their descendants, and meantime they must be fed while learning to cultivate the soil and rear domestic animals.

But personal labor and restriction to one place being at variance with the hereditary pride and habits of the Indian, the desired result can only be obtained by coercion, and it was for this reason that the peace commission, in view, too, of recent events, was impelled to the conclusion, in their late report, that the management of Indian affairs should be again vested in the War Department, as the only branch of the government able to use the required force promptly and without the circumlocution unavoidable, no other department being able to act with such vigor and promptness as to warrant any hope that the plans and purposes of the commission could be carried into execution.

The plan of the peace commission is by General Sherman believed to be the only means of saving the Indians from total annihilation, and he urges upon Congress its immediate adoption. Meanwhile, his purposes are declared to be: To protect the Missouri river traffic and the Union Pacific railroad with jealous care; to gather in the wandering bands of Sioux to the reservation selected north of Nebraska, and feed and protect them to the extent of his means, and to destroy or punish, to his utmost power, the hostile Indians, till they are willing to go and remain upon the reservation assigned to them at Fort Cobb, where he is prepared to provide for them to a limited extent. This double policy, of peace within their reservations and war without, must soon, in his opinion, bring matters to a determination.

The appropriation of \$500,000 for carrying out the treaty stipulations and defraying the expenses of the commission has been applied to those objects; the outstanding accounts, amounting to about \$150,000, and the balance being applied to the care and support of the Indians collected on the reservations.

The appropriation of \$212,500 for the Navajo Indians of New Mexico, placed in charge of General Sherman, has been intrusted to General Getty, commanding in that Territory, who will cause it to be properly expended. An appropriation of \$150,000, under control of the Interior

Department, for the removal of these Indians to their new reservation was also made; but the removal had already been effected by the military authorities at a cost of less than one-third of that amount.

*Military Division of the Pacific.*—This division, commanded by Major General Halleck, includes three military departments, embracing three States and four Territories, with an area of nearly 1,250,000 square miles; more than 12,000 miles of sea-coast, and a population of about 700,000 whites and 130,000 Indians. Two regiments of cavalry, one regiment of artillery and four regiments of infantry compose the military force of the division.

The department of Alaska, commanded by Brevet Major General Davis, comprises the territory lately known as Russian America. Its area is about 578,000 square miles, and its population about 2,000 whites and 60,000 half-breeds and Indians. The military force of the department consists of five companies of artillery and one of infantry, distributed at six military posts. The remarks of the department commander respecting the best policy to pursue towards the Indians, the needlessness of a civil government for the Territory at present, and his especial recommendation that no Indian agents or superintendents be sent there at this time, are commended to attention.

The department of the Columbia, commanded by Brevet Major General Crook, includes the State of Oregon and the Territories of Washington and Idaho. Its area is about 275,000 square miles, with a population of 130,000 whites and 35,000 Indians. Twenty companies, distributed at 15 military posts, constitute the military force of the department. The Indian war, which for many years has been waged in this region, has by the skill and energy of General Crook been brought to a virtual termination. No depredations have lately been committed. A reduction of the military force may probably be made next year.

The department of California, commanded by Brevet Major General Ord, includes the States of California and Nevada and the Territory of Arizona, with an area of about 365,000 square miles, and a population of 558,000 whites and 35,000 Indians. Forty-eight companies of troops of all arms constitute the military force of the department, of which 29 companies are serving in Arizona alone, though the 8,000 inhabitants of that Territory are far from being satisfied with that number.

The erection of Arizona into a separate military department, and an increase of the force, with a view to more energetic operations against the Apache, the worst of all Indians, is recommended by the division commander, who speaks highly of the agricultural capacity of the Territory.

*Department of the South.*—The second and third military districts, composed of the States of North Carolina, South Carolina, Georgia, Alabama and Florida, were in August last, after the admission of those States to representation in Congress, organized into the department of the South, and Major General George G. Meade assigned to the command. The department commander issued orders conforming the action of the military

to the changed state of affairs in the several States, and adopted such measures as to make the transition from military to civil authority gradual and almost imperceptible. The troops have been so distributed throughout the different States composing the department, that they could at any time be used to co-operate with and sustain the State authorities; and the officers and men of the army have, as a rule, conducted themselves in the discharge of their delicate and responsible duties in a manner creditable to themselves and conducive to the best interests of the people in the States where they are stationed.

*Department of the Cumberland.*—This department embraces the States of Kentucky, Tennessee and West Virginia, and is commanded by Major General Thomas, to whose accompanying report attention is invited. He reports no improvement in the state of public and social affairs, nor does he look for any immediate improvement. In some sections affairs are decidedly worse, and, generally, the necessity for the presence of troops is as great as heretofore.

The lawless operations of a mysterious organization known as the "Ku-Klux Klan," and the terror inspired by it in Tennessee, are described at length, together with the action taken by the State authorities and himself respectively.

Considerable lawlessness is also reported as prevalent in Kentucky, and the services of troops have been called into requisition for the protection of various federal civil officers in the discharge of their duties.

The attempts of certain railroad companies to evade their obligations to the United States are mentioned in the report.

*Military Division of the Atlantic.*—This division, composed of the department of the Lakes, department of the East, and department of Washington, was created by order of the President on the 12th of February, 1868, and Lieutenant General Sherman assigned to its command, with headquarters at Washington. General Hancock, however, was afterwards substituted for General Sherman, and assumed command on the last day of March.

The division embraces the States of Ohio, Michigan, Indiana, Illinois, and Wisconsin, the New England States, New York, New Jersey, Pennsylvania, Maryland and Delaware, and the District of Columbia.

No military operations have taken place in the division since its establishment, though reports of intended Fenian movements against Canada have from time to time been made.

The headquarters of the division have recently been transferred to New York city.

*Department of Louisiana.*—The department of Louisiana, consisting of the States of Louisiana and Arkansas, was organized on the 28th of July, after the admission of those States to representation in Congress, and Brevet Major General L. H. Rousseau assigned to the command. Prior to the arrival of General Rousseau at the headquarters, on the 15th day of September, Brevet Major General R. C. Buchanan commanded the department.



The duties of the department commander have been principally to preserve the peace and sustain the State authorities of the newly organized State governments of Louisiana and Arkansas. The difficulties experienced in carrying out these objects, and the means adopted to overcome those difficulties, are set forth in his report.

*First Military District.*—This district consists of the State of Virginia and is commanded by Brevet Major General George Stoneman, who succeeded Brevet Major General J. M. Schofield on the 1st of June. The military force of the district is composed of two regiments of infantry and one company of artillery, which force has been found sufficient to protect the citizens in their lives and property and preserve the peace in the district. In pursuance of the policy pursued in the district ever since its formation, the State courts, and civil authorities generally throughout the State, have been permitted to exercise the functions appertaining to their respective offices, subject, however, to appeal to the military authorities by any person who might conceive that injustice had been done him by their action.

The constitutional convention, called under the reconstruction acts of Congress, which was in session at the date of the last annual report, framed a constitution to be submitted to the people, but in consequence of Congress having failed to make the necessary appropriation for defraying the expenses of an election, it was not so submitted, the district commander referring the matter of the appropriation, as well as designating a day for the election, to Congress, which has, as yet, failed to designate the day, although the necessary appropriation was made at its last session. The delicate and perplexing questions growing out of the removal of civil officers, and appointment of others in their place, qualified for their positions and eligible under the reconstruction acts, are pointed out, and the repeal of the 9th section of the act of Congress passed July 19, 1867, recommended.

*Second Military District.*—At the date of the last report of the Secretary of War, the second military district, composed of the States of North Carolina and South Carolina, was under command of Brevet Major General E. R. S. Canby. The principal duties of the district commander were those assigned him by the reconstruction acts, under which he so established the jury system in the States composing his district that the jury lists embraced all citizens who were identified with the community in which they resided by the payment of taxes, and were mentally and morally qualified for the proper performance of jury duty. Measures were adopted for the purpose of securing quiet and order by the enforcement of the State laws for the prevention and punishment of crimes, through and by means of the local authorities, and not to interfere with the usual mode of procedure, except where the proper civil authorities refused or failed to act, or where it became manifest that from past political action, or by reason of prejudice against color or caste, impartial justice would not be administered.

In both North and South Carolina elections were held for the purpose of deciding whether there should be a convention for framing a new constitution for the State, and electing delegates to the convention. The elections passed off quietly, and a majority of the electors having voted for a convention, the delegates were called together, and after having framed a constitution which was submitted to the people and adopted by them, and the representatives elected under that constitution admitted to their seats in Congress, under the act of Congress of June 25, 1868, the military district ceased to exist, and was merged into the department of the South, under command of Major General Meade.

*Third Military District.*—At the date of the last annual report, the third military district consisted of the States of Georgia, Alabama, and Florida, and was under command of Brevet Major General John Pope, who remained in command until the 6th day of January, 1868, when he was relieved by Major General George G. Meade, who assumed command in compliance with orders from the War Department.

At the time Major General Meade assumed command the condition of affairs in the several States composing his district was as follows:

In Georgia a convention, elected under the reconstruction laws, was in session in Atlanta, but hampered and embarrassed for want of funds. In Alabama a convention had met, framed a constitution, nominated a ticket for State officers, and adjourned.

In Florida an election had been held for members of a convention, but under General Pope's orders was not to meet until the 20th of January.

During General Meade's administration the following events occurred prior to the discontinuance of the district:

In Georgia, the officers of the State government having refused to recognize the authority of the district commander, because, as the governor alleged, the reconstruction acts were unconstitutional, General Meade removed the governor and two other officers of the State government, and appointed officers of the army to their positions, who continued to fulfil the duties with faithfulness and efficiency until the qualification of State officers elected under the new constitution which was framed by the convention and ratified by the people.

In Alabama, the constitution framed by the convention was submitted to the people, and although in the opinion of General Meade it was rejected by the people, it was adopted by Congress.

In Florida, the convention assembled, and, after a great deal of bickering and dissension, adopted a constitution which was subsequently ratified by the people of the State.

Congress having admitted the States of Georgia, Alabama, and Florida to representation in Congress, orders were issued from headquarters of the army, dated July 28, 1868, discontinuing the third military district, and assigning the States composing it to the department of the South.

*Fourth Military District.*—At the date of the last annual report

this district comprised the States of Arkansas and Mississippi, and was commanded by Brevet Major General E. O. C. Ord, who was relieved on the 8th day of January last by Brevet Major General Alvan C. Gillem. On the 28th of July last, Arkansas having, in compliance with the reconstruction acts, adopted a constitution and been admitted to representation in Congress, was detached from the fourth military district and attached to the department of Louisiana. The State of Mississippi having rejected the constitution submitted by the convention convened under the reconstruction acts, is still retained as a military district.

The citizens of the State of Mississippi have devoted themselves to repairing the losses resulting from the war, and the following extract from the report shows the present agricultural and financial condition of affairs in the State :

"Thanks to energy and industry, favored by a good season, an abundant crop of corn—more than a year's supply, and by some estimated as a supply sufficient for two years—has been secured, while the yield of cotton in the State is very great, estimated as high as 350,000 bales. At present prices this will produce more than \$30,000,000."

The civil courts have continued to dispense justice under the supervision of the military authorities, and there has been no necessity for the use of the troops stationed in the State.

*Fifth Military District.*—This district, composed of the States of Louisiana and Texas, at the date of the last report was under the temporary command of Brevet Major General Mower, until the arrival of Major General Hancock on the 29th November last, when that officer assumed and exercised command until relieved on the 28th of March, 1868, the command of the fifth military district being devolved, first upon Brevet Major General Reynolds, and subsequently upon Brevet Major General Buchanan.

The State of Louisiana having adopted a constitution and been admitted to representation in Congress, orders were issued from headquarters of the army, on the 28th of July, 1868, reducing the fifth military district to the State of Texas, and assigning Brevet Major General J. J. Reynolds to the command.

General Reynolds reports the existence of armed secret organizations in the State, the objects of which seem to be to "disarm, rob, and in many cases murder Union men and negroes, and, as occasion may offer, murder United States officers and soldiers." "The murder of negroes is so common as to render it impossible to keep an accurate account of them." "These organizations are evidently countenanced, or at least not discouraged, by a majority of the white people in the counties where the bands are most numerous. They could not otherwise exist." "Free speech and free press, as the terms are generally understood in other States, have never existed in Texas."

In consequence of this state of affairs General Reynolds has found it

necessary to withdraw troops from the frontier posts "to such an extent as to impair their efficiency for protection against Indians; but the bold, wholesale murdering in the interior of the State seems at present to present a more urgent demand for troops than Indian depredations."

#### DISCIPLINE OF THE ARMY.

During the short time I have had charge of the War Department it has been my constant aim to systematically reduce the expenses of the department; to improve the discipline and efficiency of the army; to prosecute such experiments in engineering and ordnance, and to continue such instruction of the officers and men as are necessary to the perfection of our military establishment; to give all needful strength to the forces operating against hostile Indians; and to give the greatest practicable assistance to the civil authorities in the States where recently organized governments need military support.

The discipline of the army is believed to be better than at any previous time since the late war. The efficient action of courts-martial, with prompt executive confirmation, has resulted in dismissal from the service of a considerable number of unworthy officers and exemplary punishment of others. Provision has also been made, under authority of the acts of Congress approved August 3, 1861, and June 25, 1864, for dropping from the rolls of the army, upon the report of an examining board, such officers as may be found unfit for the service by reason of intemperate or vicious habits. These measures, having the earnest support of the great body of officers, have already produced beneficial results, and cannot fail soon to relieve the army of such officers as have proved wholly unworthy, and to reform such as have only temporarily yielded to temptation. From thorough discipline and efficiency among the officers the same essential qualities among the enlisted men follow as a matter of course.

#### INDIANS.

I refer to the report of Lieutenant General Sherman for an instructive statement of facts and valuable suggestions in respect to Indian affairs. I believe it manifest that an important change should be made in our mode of dealing with the Indians. While good faith and sound policy alike require us to strictly observe existing treaties so long as the Indians maintain like good faith, when any tribe has violated its treaty it should no longer be regarded as a nation with which to treat, but as a *dependent uncivilized people*, to be cared for, fed when necessary, and governed.

It is manifest that any branch of the public service cannot be efficiently and economically managed by *two* departments of the government. If the Interior Department can alone manage Indian affairs, and thus save the large expense of the army in the Indian country, very well. But if the army must be kept there for the protection of railroads and frontier settlements, why not require the army officers to act as Indian agents, and thus save all the expense of the civilians so employed. Besides, an

army officer has his military reputation and commission at stake, and is subject to trial by court-martial for any misconduct in office. Thus is afforded the strongest possible security the government can have for an honest administration of Indian affairs by officers of the army; while the civilian agent, being only a temporary officer of the government, and practically exempt from trial and punishment for misconduct, gives the government the *least* possible security for honest administration.

For the sake of economy to the government, for the sake of more efficient protection to the frontier settlements, and for the sake of justice to the Indians, I recommend that the management of Indian affairs be restored to the War Department, with authority to make regulations for their government and for their protection against lawless whites.

#### MILITARY AID TO STATE GOVERNMENTS.

The relation of the army to the civil authorities in the States recently restored to civil government has been a subject of no little perplexity.

While those governments were yet imperfectly organized, lacking to a great extent the sympathy and support of the most influential citizens, without organized police or militia forces, without arms and without money, and without even authority of law to organize and arm a militia, the military government, which the people had learned by more than three years experience to rely upon for protection of life and property, was suddenly withdrawn. Immediately followed an exciting political canvass, having for its alternative results, in popular expectation, the support or overthrow of those newly formed governments. The result has been unusual disposition to lawlessness and crime, and comparative inefficiency of civil government in those States.

The only laws of Congress providing for the employment of the military force of the United States in support of the government of any State were passed in the infancy of the republic, with a jealous care to avoid undue interference by the national government in State affairs, and not designed for such a condition of society as now exists in the southern States.

Hence, with an earnest desire to do all in the power of the Executive to preserve peace in those States, and enable the people to fairly decide at the polls the exciting questions involved in the canvass, it has been found possible to attain these objects only in an imperfect degree, but it is believed that, considering the difficulties of the situation, there is abundant reason to be satisfied with the comparative good order that has prevailed throughout the country. The instructions issued from this department with the President's sanction, for the government of department commanders, and correspondence with those commanders and governors of States, are submitted with this report for the information of Congress.

J. M. SCHOFIELD,  
*Secretary of War.*

# CORRESPONDENCE AND INSTRUCTIONS

SUBMITTED WITH

## REPORT OF THE SECRETARY OF WAR.

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STATE OF LOUISIANA,  
EXECUTIVE DEPARTMENT,  
*New Orleans, August 1, 1868.*

SIR: I have the honor to forward to you, by Lieutenant Colonel John F. Deane, of my staff, the joint resolution adopted by the general assembly of this State on the first day of August, 1868. I also enclose with it a petition from a number of the most prominent and influential citizens of north Louisiana, setting forth the horrible outrages that are daily being perpetrated in that portion of the State, together with a letter from the Hon. G. W. Hudspeth, attorney for the 8th judicial district, showing the state of affairs that exists there also.

I send other letters and papers, showing clearly that in many of the parishes there exists no protection for the citizens in the courts, and that men are shot down in the roads, in their homes and elsewhere, without a question being asked or any steps taken to bring the offenders to justice. The judge of the 12th judicial district refuses to go to the parish of Franklin, unless a force is sent with him to protect him from violence, and he is not obnoxious on personal or political grounds, for in politics he was opposed to the new constitution, and is a life-long citizen of the State. The sheriff of the parish of Franklin (a democrat) has resigned, confessing his inability to make any arrests, or discharge the duties of his office, on account of the condition of affairs there. Prominent Union men in the parish of Caddo write me that their homes are beset by desperadoes, and that their lives and property have thus far been saved from destruction only by armed men who volunteered to guard them. As you will see by the letter of Mr. Hudspeth, district attorney for the 8th district, men, women, and children have recently been murdered in the parish of St. Landry by bands of armed men, who remain thus far unpunished and unmolested. The enclosed newspaper, a democratic journal, published in Madison parish, shows clearly the condition of affairs there, in corroboration of the statements contained in the petition of Judge Crawford, Judge Wyley, and other gentlemen of north Louisiana.

From the very best information, Mr. President, I have no doubt that 150 men have been murdered in Louisiana in the last month and a half. Startling as this statement is, letters of the most reliable character fully confirm it. There seems to be a settled determination on the part of these men who adhered to the rebellion to either kill or drive away the Union white men and leading colored men, so as to be able to terrify the masses of the colored people into voting as they shall dictate. There is a secret organization throughout the State known as the K. W. C., the full details of which, questions, oath, &c., &c., Colonel Deane will explain to you. It is founded for the purpose of placing and keeping the colored people in a condition of inferiority, and, with a view to this end, contemplates and designs the precipitation to conflict between the two races. Many prominent citizens of the State are leaders in it; its members are sworn under oaths of the most binding character to carry out the purposes of the organization at all costs, hazards and sacrifices, and by measures, however desperate, that their leaders may adopt. It has now transpired that the mob which threatened the legislature some weeks since were only prevented from re-enacting the scenes of the 30th July, 1866, by the presence of United States troops; it was the deliberate determination of this secret organization to assassinate the lieutenant governor and speaker of the house of representatives for having decided questions preliminary to the organization of the general assembly in a manner obnoxious to them. There are military organizations on foot in this

city under the auspices of this secret organization. They drill openly in our streets at night or in halls easily to be seen. In short, I fully believe that there is meditated a bloody revolution, the certain fruit of which would be long continued, if not hopeless confusion, disaster and ruin to the State. The presence of United States troops, in my judgment, is necessary to prevent this. The organization of militia is of very questionable expediency, inasmuch as it will be, under the present excited state of mind, one political party armed to support the government against another. I wish to avert this, if possible, and respectfully request your excellency to put two regiments of cavalry, a regiment of infantry, together with a battery of artillery, under the command of some competent officer, with orders to co-operate with me in repressing disorder and violence, arresting criminals, and protecting the officers of the law in trying them. The breaking up of all secret political organizations, and a few examples of condign punishment of offenders, will secure peace in the State as soon as the great excitement attending the present political campaign is over.

I have the honor to be, very respectfully, your obedient servant,

H. C. WARMOTH,

*Governor of Louisiana.*

To his Excellency ANDREW JOHNSON,

*President of the United States.*

[Joint resolution.]

Whereas a message from the governor, enclosing a memorial from citizens of the parishes of Franklin, Tensas, Rapides, Caldwell, and Ouachita, sets forth the fact that the most horrible murders and outrages upon the lives and rights of loyal men are being perpetrated in Franklin parish and adjoining parishes, and that there are secret organizations in said parishes to destroy Union men, as is fully set forth in the said memorial; and whereas, there exists as yet, no sufficient peace force in the State to protect the citizens thereof: Therefore,

SECTION I. *Be it resolved by the senate and house of representatives of the State of Louisiana, in general assembly convened,* That in accordance with Article 4, Section 4, of the Constitution of the United States, the President of the United States is hereby requested to furnish the civil authorities of this State such forces as may be necessary to secure peace and good order in the State, and to send such forces to such points as the governor may deem necessary to protect the peaceable citizens against domestic violence, and to aid the civil authorities in the execution of the laws.

SECTION II. *Be it further resolved, &c.,* That the governor be and is hereby requested to forward this joint resolution, with a copy of the memorial, to the President of the United States.

CHAS. W. LOWELL,

*Speaker of the House of Representatives,*

OSCAR J. DUNN,

*Lieutenant Governor and President of the Senate.*

Approved August 1, 1868.

The accompanying communications are referred to the honorable the Secretary of War for consideration and suggestions.

ANDREW JOHNSON.

August 7, 1868.

Respectfully returned to the President, with copy of a letter of instructions sent to Brevet Major General Buchanan, commanding the department of Louisiana.

J. M. SCHOFIELD,

*Secretary of War.*

HEADQUARTERS OF THE ARMY, ADJUTANT GENERAL'S OFFICE,

*Washington, August 10, 1868.*

GENERAL: The following instructions from the Secretary of War are furnished for your government:

To the end that the necessary aid may be rendered by the United States as promptly as possible in any case of insurrection or domestic violence in the States embraced in your mili-

tary department, you will keep yourself informed of the condition of affairs in said States, and communicate promptly *by telegraph* to the War Department, through the headquarters of the army, any facts which may make it the duty of the President, under the Constitution and laws, to employ the military force of the United States.

You will also maintain such disposition of the troops under your command that they may be ready to act without delay upon receipt of the President's orders, stationing them at, or from time to time moving them to, points where you may have reason to apprehend a necessity for their use.

The following extracts from the Constitution and laws of the United States indicate the conditions under which the military force of the United States may be lawfully employed to suppress insurrection against the government of any State:

*Constitution, Article IV, Section IV.*—The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive, (when the legislature cannot be convened,) against domestic violence.

*Act of Congress, approved February 28, 1795, Section 1.*— \* \* \* \* \*  
And in case of an insurrection in any State against the government thereof, it shall be lawful for the President of the United States, on application of the legislature of such State, or of the executive, (when the legislature cannot be convened,) to call forth such number of the militia of any other State or States, as may be applied for, as he may judge sufficient to suppress such insurrection. And Section 3. *Provided always, and be it further enacted,* That whenever it may be necessary, in the judgment of the President, to use the military force hereby directed to be called forth, the President shall forthwith, by proclamation, command such insurgents to disperse and retire peaceably to their respective abodes within a limited time.

*Act of Congress, approved March 3, 1807.—Be it enacted, &c.,* That in all cases of insurrection or obstruction of the laws, either of the United States or of any individual State or Territory, where it is lawful for the President of the United States to call forth the militia for the purpose of suppressing such insurrection, or of causing the laws to be duly executed, it shall be lawful for him to employ, for the same purposes, such part of the land or naval force of the United States as shall be judged necessary, having first observed all the prerequisites of the law in that respect.

By command of General Grant:

E. D. TOWNSEND,  
*Assistant Adjutant General.*

Brevet Major General R. C. BUCHANAN, U. S. A.,  
*Commanding Department of Louisiana, New Orleans, La.*

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NASHVILLE, TENNESSEE, August 8, 1868.

SIR: I have the honor, very respectfully, to enclose a resolution of the house of representatives of the general assembly of the State of Tennessee on the "subject of calling on the United States authorities to furnish, as the emergency may demand, to the State of Tennessee a military force to aid the governor to preserve the peace," &c.

I am instructed by the military committee of the house to forward to you a copy of the above named resolution, and to ask you what aid or assistance may be expected from the general government should such a call be made by the State of Tennessee. An early reply is solicited.

I am, general, very respectfully, your obedient servant,

W. F. PROSSER,  
*Chairman House Committee Military Affairs.*

Major General GEO. H. THOMAS, U. S. A.,  
*Louisville, Kentucky.*

*Resolved,* That the committee on military affairs take into consideration the subject of calling on the United States authorities to furnish, as the emergency may demand, to the State



of Tennessee a military force to aid the governor to preserve the peace and afford protection to the persons and property of our citizens, and that they report the result of their deliberations.

Adopted August 7, 1868.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,

*Louisville, Kentucky, August 11, 1868.*

Respectfully forwarded to the Adjutant General United States army for instructions concerning this important question, which I wish to receive before replying thereto.

I have heretofore, upon request of the civil authorities, both State and national, furnished military aid, so far as the force at my disposal would permit, in execution of the laws, by guarding and protecting from resistance and violence those authorities when in the execution of their respective offices.

Shall this be continued, or shall such aid be rendered only in accordance with the provisions of the Constitution of the United States, or what policy is it desired to adopt in Tennessee in this matter?

GEO. H. THOMAS.

*Major General U. S. Army, Commanding.*

HEADQUARTERS OF THE ARMY, ADJUTANT GENERAL'S OFFICE,

*Washington, August 25, 1868.*

GENERAL: In reply to your communication of the 11th inst., asking instructions relative to the use of the troops under your command, in aid of the civil authorities, I am directed by the Secretary of War to forward for your information and government the enclosed copies of a letter of instruction to Brevet Major General Buchanan, commanding the department of Louisiana, dated August 10, 1868, and of a letter from the Attorney General of the United States to Alexander Magruder, esq., United States marshal of the northern district of Florida, dated August 20, 1868. The letter to General Buchanan indicates the conditions under which the military force of the United States may be employed to suppress insurrection against the government of any State, and prescribe the duties of the department command in reference thereto. The letter of the Attorney General sets forth the conditions under which the marshals and sheriffs may command the assistance of the troops in their respective districts or counties to execute lawful precepts issued to them by competent authority. The obligation of the military individual officers and soldiers, in common with all citizens, to obey the summons of a marshal or sheriff must be held subordinate to their paramount duty as members of a permanent military body. Hence, the troops can act only in their proper organized capacity, under their own officers, and in obedience to the immediate orders of those officers. The officer commanding troops summoned to the aid of a marshal or sheriff must also judge for himself, and upon his own official responsibility, whether the service required of him is lawful and necessary and compatible with the proper discharge of his ordinary military duties, and must limit his action absolutely to proper aid in execution of the lawful precept exhibited to him by the marshal or sheriff. If time will permit, every demand from a civil officer for military aid, whether it be for the execution of a civil process or to suppress insurrection, should be forwarded to the President, with all the material facts of the case, for his orders; and in all cases the highest commander whose orders can be given in time to meet the emergency will alone assume the responsibility of action. By a timely disposition of troops where there is reason to apprehend a necessity for their use, and by their passive interposition between hostile parties, danger of collision may be averted. Department commanders, and in cases of necessity their subordinates, are expected in this regard to exercise, upon their own responsibility, a wise discretion, to the end that in any event the peace may be preserved.

By command of General Grant:

J. C. KELTON,

*Assistant Adjutant General.*

Major General GEO. H. THOMAS, U. S. A.,

*Commanding Department of the Cumberland, Louisville, Kentucky.*

ATTORNEY GENERAL'S OFFICE, *August 20, 1868.*

SIR: Your letter of the 12th instant reached me yesterday, and has received an attentive consideration. Colonel Sprague's information to you must have been based upon his own construction of General Meade's order lately issued, and not upon any special instructions from the President to Colonel Sprague, through General Meade or otherwise, as no such special instructions have been issued by the President.

You add, "under some circumstances I should be glad to have the aid of the military, and, if practicable, would be pleased to have instructions given to the military to aid me when necessary. I ask this, as Colonel Sprague informs me, under his instructions, he cannot do so."

This desire and request for "the aid of the military" under certain circumstances, I understand to refer to the occasional necessity which may arise, that a marshal should have the means of obtaining the aid and attendance of a more considerable force than his regular deputies supply for the execution of legal process in his district.

The 27th section of the judiciary act of 1789 establishes the office of marshal, and names among his duties and powers the following: "And to execute throughout the district all lawful precepts directed to him and issued under the authority of the United States, and he shall have power to command all necessary assistance in the execution of his duty, and to appoint, as there may be occasion, one or more deputies." [1 *St. P.*, 87.]

You will observe from this that the only measure of the assistance which you have power to command is its necessity for the execution of your duty; and upon your discreet judgment, under your official responsibility, the law reposes the determination of what force each particular necessity requires. This power of the marshal is equivalent to that of a sheriff, and, with either, embraces, as a resort in necessity, the whole power of the precinct (county or district) over which the officer's authority extends. In defining this power Attorney General Cushing, and as I understand the subject, correctly says it "comprises every person in the district or county above the age of 15 years, whether civilians or not, and including the military of all denominations, militia, soldiers, marines, all of whom are alike bound to obey the commands of a sheriff or marshal."

While, however, the law gives you this "power to command all necessary assistance," and the military within your district are not exempt from obligation to obey, in common with all the citizens, your summons in case of necessity, you will be particular to observe that this high and responsible authority is given to the marshal only in aid of his duty "to execute throughout the district all lawful precepts directed to him, and issued under the authority of the United States," and only in case of *necessity* for this extraordinary aid. The military persons obeying this summons of the marshal will act in subordination and obedience to the civil officer, the marshal, in whose aid in the execution of process they are called, and only to the effect of receiving its execution.

The special duty and authority, in the execution of process issued to you, must not be confounded with the duty and authority of suppressing disorder and preserving the peace, which, under our government, belongs to the civil authorities of the States, and not to the civil authorities of the United States. Nor are this special duty and authority of the marshal, in executing process issued to him, to be confounded with the authority and duty of the President of the United States in the specific cases of the Constitution, and under the regulations of the statutes, to protect the States against domestic violence, or with his authority and duty under special statutes to employ military force in subduing combinations in resistance to the laws of the United States; for neither of these duties or authorities is shared by the subordinate officers of the government, except when and as the same may be specifically communicated to them by the President.

I have thus called your attention to the general considerations bearing upon the subject to which your letter refers for the purpose of securing a due observance of the limits of your duty and authority in connection therewith. Nothing can be less in accordance with the nature of our government, or the disposition of our people, than a frequent or ready resort to military aid in execution of the duties confided to civil officers. Courage, vigor, and intrepidity are appropriate qualities for the civil service which the marshals of the United States are expected to perform, and a re-enforcement of their power by extraordinary means is permitted by the law only in extraordinary emergencies.

If it shall be thought that any occasion, at any time, exists for instructions to the military authorities of the United States, within any of the States, in connection with the execution of process of courts of the United States, these instructions will be in accordance with the exigency then appearing.

I am, sir, very respectfully, your obedient servant,

WILLIAM M. EVARTS,  
*Attorney General.*

ALEXANDER MAGRUDER, Esq.,

*United States Marshal Northern District Florida, St. Augustine, Fla.*

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STATE OF FLORIDA, EXECUTIVE OFFICE,  
*Tallahassee, July 13, 1868.*

I have the honor to transmit a joint resolution of the legislature of the State of Florida, calling upon your Excellency to place at my disposal the military forces now in this State to assist in the establishment and maintenance of civil law.

It is not designed to use the military arm unless in cases where the civil power is resisted and found inadequate to the execution of the laws. But it is deemed essential to the peace and security of society that the present military force be retained for the present, and be subject to the call of the Executive.

Very respectfully, your obedient servant,

HARRISON REED, *Governor.*

To the PRESIDENT of the United States.

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[Joint Resolution.]

Whereas, owing to the recent establishment of civil government in the State of Florida, and the marked hostility in our midst to the constituted authorities of the State, imminent danger exists of insurrection, violence and disturbance of the peace: Therefore,

*Resolved*, (the assembly concurring,) That the President of the United States be and is hereby called upon, in the name of the people of Florida, to order the commanding officers of the United States to render such aid and assistance to preserve order, and maintain the law, as the governor of the State may from time to time require.

Passed the Senate, July 9, 1868.

W. H. GLEASON,  
*President of the Senate and Lieutenant Governor.*

Passed the assembly, July 9, 1868.

W. W. MOORE,  
*Speaker of the Assembly.*

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[Telegram.]

HEADQUARTERS DEPARTMENT OF THE SOUTH,  
*Atlanta, Georgia, August 17, 1868.*

General RAWLINS, *Chief of Staff, Washington, D. C.:*

When may I expect the instructions of the Secretary of War? \* \* \*

\* \* \* I am awaiting them to instruct commanders of districts and communicate with governors of States.

GEO. G. MEADE,  
*Major General U. S. A.*

## HEADQUARTERS OF THE ARMY, ADJUTANT GENERAL'S OFFICE,

*Washington August 25, 1868.*

GENERAL: In reply to your request for instructions relative to the use of the troops under your command in aid of the civil authorities, the Secretary of War directs to be furnished for your information and government the enclosed copies of a letter of instructions to Brevet Major General Buchanan, commanding department of Louisiana, dated August 10, 1868, and of a letter from the Attorney General of the United States to Alexander Magruder, esq., United States marshal northern district of Florida, dated August 20, 1868.

The letter to General Buchanan indicates the conditions under which the military force of the United States may be employed to suppress insurrection against the government of any State, and describes the duties of the department commander in reference thereto.

The letter of the Attorney General sets forth the conditions under which the marshals and sheriffs may command the assistance of the troops in their respective districts or counties to execute lawful precepts issued to them by competent authority.

The obligation of the military, (individual officers and soldiers,) in common with all citizens, to obey the summons of a marshal or sheriff, must be held subordinate to their paramount duty as members of a permanent military body. Hence the troops can act only in their proper organized capacity, under their own officers, and in obedience to the immediate orders of those officers. The officer commanding troops summoned to the aid of a marshal or sheriff must also judge for himself, and upon his own official responsibility, whether the service required of him is lawful and necessary, and compatible with the proper discharge of his ordinary military duties, and must limit his action absolutely to proper aid in execution of the lawful precept exhibited to him by the marshal or sheriff.

If time will permit, every demand from a civil officer for military aid, whether it be for the execution of civil process or to suppress insurrection, should be forwarded to the President, with all the material facts in the case, for his orders; and in all cases the highest commander whose orders can be given in time to meet the emergency will alone assume the responsibility of action.

By a timely disposition of troops where there is reason to apprehend a necessity for their use, and by their passive interposition between hostile parties, danger of collision may be averted. Department commanders, and in cases of necessity their subordinates, are expected, in this regard, to exercise upon their own responsibility a wise discretion, to the end that in any event the peace may be preserved.

By command of General Grant:

J. C. KELTON,  
*Assistant Adjutant General.*

Major General GEORGE G. MEADE, U. S. A.,  
*Commanding Department of the South, Atlanta, Georgia.*

## HEADQUARTERS OF THE ARMY, ADJUTANT GENERAL'S OFFICE,

*Washington, August 25, 1868.*

GENERAL: In addition to the instructions furnished you from this office on the 10th of August, 1868, the Secretary of War directs that your attention be called to the enclosed copy of a letter from the Attorney General of the United States to Alexander Magruder, esq., United States marshal northern district of Florida, dated August 20, 1868, setting forth the conditions under which the marshals and sheriffs may command the assistance of the troops in their respective districts or counties, to execute the lawful precepts issued to them by competent authority.

The obligation of the military, (individual officers and soldiers,) in common with all citizens, to obey the summons of a marshal or sheriff, must be held subordinate to their paramount duty as members of a permanent military body. Hence the troops can act only in their proper organized capacity, under their own officers, and in obedience to the immediate orders of those officers. The officer commanding troops summoned to the aid of a marshal or sheriff must also judge for himself, and upon his own official responsibility, whether the

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By a timely disposition of troops where there is reason to apprehend a necessity for their use, and by their passive interposition between the hostile parties, danger of collision may be averted. Department commanders, and in cases of necessity their subordinates, are expected in this regard to exercise upon their own responsibility a wise discretion, to the end that in any event the peace may be preserved.

By command of General Grant :

J. C. KELTON,  
*Assistant Adjutant General.*

Brevet Major General R. C. BUCHANAN,  
*Commanding Department of Louisiana, New Orleans, La.*

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[Joint resolution of the general assembly of Tennessee.]

*Resolved by the senate, (the house concurring,) That a joint select committee, to consist of one on the part of the senate, and two on the part of the house, be appointed to wait upon his Excellency Andrew Johnson, President of the United States of America, and place fully before him the present condition of affairs in this State, and urge upon him to take steps to give protection to the law-abiding citizens of the State, under the provisions of the Constitution of the United States.*

Adopted September 1, 1868.

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To His Excellency ANDREW JOHNSON, *President of the United States :*

We have been appointed a committee by the legislature of Tennessee to wait upon you and "place fully before you the present condition of affairs in that State, and urge upon you to take steps to give protection to the law-abiding citizens of the State under the provisions of the Constitution of the United States." We now address you in discharge of the duty imposed on us by the action of the legislature of that State.

The first thing required to be done by us is to place before you fully the present condition of affairs in Tennessee. To do this, Mr. President, would take more time and space than is consistent with a written communication, prepared as this necessarily has been. We can only touch upon the more prominent affairs of our State.

First, Mr. President, you are aware that the legislature of Tennessee has been called together in extra session, and has not yet adjourned. The main object in calling them together by the governor, as indicated in his message, was that it might pass laws for calling out troops for the protection of the people against a secret organization known as the "Ku-Klux Klan," which were deemed necessary by his Excellency to suppress such illegal association. In the necessity for military protection in some portions of that State the legislature and committee fully concur.

That there is such an organization as the "Ku-Klux Klan" is now beyond question or peradventure. By a recent publication made by authority, or with the assent of a distinguished general officer, General N. B. Forrest, of the so-called "Confederate States," it is stated that there are forty thousand members of this association in Tennessee.

As to the objects and purposes of this organization they can only be known by their acts and sayings while in their masks and ghostly uniforms. While thus engaged they take out citizens and kill them—some by hanging, some by shooting, and some by the slower and

more certain plan of whipping, while some are whipped not until death, but severely and disgracefully. In some parts of the State they are travelling at night as often as twice a week, and visiting the houses of Union men and federal soldiers, some of whom they kill, others they whip and order from the country on the pain of being killed if they do not leave, while others are ordered under promise of violence if they remain after being warned to depart. This is carried on by greater or less numbers, according as the objects to be effected on the particular night are of greater or less magnitude. They rarely appear in their masks or uniforms in daylight. It is the night when they mostly travel and perpetrate their acts of violence and bloodshed. The most peaceably, orderly, quiet and, we may say, the most exemplary members of the church are not exempt from their midnight visits, and are the objects of their personal violence. Instances are known where the most orderly and pious men of a neighborhood have been waked from their slumbers and beaten by them for no other reason than their political sentiments. Murders are common, particularly among the colored people, against whom the "Klan" seems to have a peculiar and mortal hatred.

Many colored people have been whipped—some of them badly, and some until they have died from its effects; and many of them have been murdered for no other reason or offence than their political opinions and sentiments.

Many people who had hired for the year, or engaged to work for a portion of the crop, have been compelled to leave their homes for their personal safety and flee for their lives, leaving their employers or their crops. And unless something be done for their relief they cannot go home, and will of course lose their earnings, with starvation in the gloomy future for themselves and families.

In the class of cases above there is no excuse or palliation for the wrongs perpetrated on the citizens. But there is another class of cases where the "Klan" takes the law into their own hands, where, although there is no justification, there are circumstances of alleged palliation. These are where a murder has been committed under circumstances of aggravation, as in the case of young Bicknell, in the county of Maury. He was foully murdered, and the guilty agent was arrested by the civil authorities, lodged in jail, and afterwards by the "Klan" taken out and hung. There seems to have been no doubt as to his guilt, but that was no justification to those who hung him without trial. There are some other cases where they have hung men for an alleged crime. These cases we mention for the reason that we are sent here to place before your excellency "the present condition of affairs" in our State. These parties should be tried and punished according to law. It is true in some of these cases, it is said, and the fact may be, that the guilt of the party is beyond question or doubt. Assume this to be so, as we concede it to be in some of the cases where they have hung the offender, it is the more certain that they will be convicted and punished. These cases of punishment for crime are referred to by the friends of the order to justify its existence when they are assailed in the newspapers or otherwise.

We will further add that most, if not all, persons engaged in these violations of law, and who belong to the "Klan," so far as known, were enemies of the government of the United States during the late civil war. But we are able to state, and do so with pleasure, that many of the "confederate soldiers and officers," who fought gallantly during the war, disapprove of and condemn the "Klan" and its acts of unprovoked violence.

We have thus far spoken of the acts of this organization. Their object, they say, is to overturn the State government of Tennessee, and many of them declare that they are now as willing to fight the government of the United States as they were at the commencement of the rebellion.

The more discreet ones of them, however, do not say "government" in this connection, but say the "Yankees."

Many of them declare the State government of Tennessee is illegal, and they have legally a right to resist and even to overturn it. This is not confined to the masses, but finds advocates in distinguished men, high in the estimation of those forming the late so-called Confederate States.

Resistance to the government of Tennessee and the laws passed by her legislature since the war is, in the opinion of the committee, as criminal as to attempt to overthrow or resist the government and laws of the State of New York or any other State in the Union.

But it may be said the courts can punish these offenders, and therefore no military force is necessary. To this we reply that as a fact no one in any of the counties of Tennessee, as far as we have been able to ascertain, has ever been tried or punished for any of the offences or cases of offences mentioned above. And so long as public opinion remains as it is, none will be, especially in those counties where the order is numerous. No person dare prosecute, for if he should his life would be endangered thereby. People are apprehensive that should they prosecute they would be murdered by the "Klan." Indeed, they tell persons upon whom they inflict violence that if they should know any of them and disclose it, they will be killed. With this state of alarm and apprehension no one will prosecute. Hence the civil authorities are powerless.

Again, should any one have the courage and firmness to appear before the grand juries, there is no assurance that an indictment would be found. Few grand juries, it is apprehended, have none of the "Klan" on them; enough, at least, is generally there to defeat an indictment.

As they go in masks and disguises it is not known who is and who is not in the order, and hence they get on juries and defeat the laws, if, perchance, any of them should be known and prosecuted.

The committee will, in this connection, state, as a fact, that when the present legislature met in regular session in October last, they were disposed to be liberal, and in a spirit of liberality substantially repealed the military laws passed by their immediate predecessors, in the hope and expectation that the promises made by those who were opposed to them politically that soldiers were unnecessary. In this, they regret to say, they were disappointed, for no sooner was the law repealed and soldiers discharged than this "Ku-Klux Klan" sprung up in Tennessee and commenced their midnight travels and depredations.

The "present condition of affairs," as given above, is sustained by the sworn testimony taken before the committee of military affairs of the legislature of Tennessee, of witnesses from various counties in that State, and is corroborated by the several observations of the committee and confirmed by the history of Tennessee troubles.

We regret, Mr. President, not being able to furnish you with a printed copy of that report and the testimony on which it is based. When we left Nashville they were in the hands of the printer and we were unable to procure one.

We come now to the other part of our instructions, which is "to urge upon you to take steps to give protection to the law-abiding citizens of the State of Tennessee, under the provisions of the Constitution of the United States." This we now respectfully do. Not because we believe, as the legislature and governor believe, that that State is unable to overcome by military force the opposition to the State government there and the "Ku-Klux Klan," and punish the offenders, but because they (the legislature) and we deem it better to have federal troops there to aid in the enforcement of the laws and suppress any riots or insurrections that might be attempted or occur.

Federal troops are preferred on another ground. They have no local personal likes or dislikes to influence them to commit wrongs on the peaceable citizens, nor be subject themselves, after discharge from the service, to wrongs and outrages for having been in the State military service.

Further, this "Klan" threaten that no more elections shall be held in Tennessee in counties where they have the power to prevent it. If this should be the principle upon which they act in the absence of a proper force, then probably no election could be held in Tennessee, for the republicans in the counties where they have the numerical strength might drive the conservatives from the polls.

What we desire is a sufficient force to aid the civil authorities in holding elections, so that every man who is entitled to exercise the elective franchise may exercise it, no difference for whom or for what party he may choose to vote.

That this is the determination of the "Klan" is evidenced by their continued night travels, and their saying to the Union men, as well white as colored, that they shall not vote unless they exercise the privilege in a particular way. They are disarming the white and colored men wherever they can.

The legislature hoped that the numbers of the "Klan" would decrease, and that their outrages would diminish; but in this they were mistaken. It has delayed action, having a well-founded hope and expectation that the efforts of certain prominent and distinguished representative men, who pledged their honest endeavors to effect as far as possible such a desirable result. Their efforts thus far have, although well intended, been crowned with no beneficial results. On the contrary, their members and violence in many localities are on the increase. Nothing is therefore left but to resort to the military, and the legislature prefer, for the reasons above stated, that federal instead of State troops be used.

We, therefore, on behalf of the legislature of Tennessee, respectfully urge that you send, as early as practicable, (the sooner the better,) a sufficient federal force to that State to aid the civil authorities; to act with them in suppressing these wrongs, and bringing to trial the guilty parties, giving assurance to all that the laws will be enforced, crime punished, and protection extended to such officers and citizens as may attempt to execute the laws or prosecute for their violation.

The legislature of Tennessee, in sending us to make the request we have, did so upon the ground that she is part of the great American Union, contributing to the support of the common government, enjoying its benefits and blessings, and that they were asking of the government of the United States that which they believe they had a right under the Constitution to expect.

We respectfully request as early an answer from your Excellency as it is convenient for you to give it, for the reason that the legislature have adopted a resolution fixing Monday next as the day of adjournment, and it is important for them to know the result of our application before that time.

Hoping a favorable result to our application, we subscribe ourselves, respectfully, your obedient servants,

WM. H. WISENER,

*On the part of the Senate.*

THOS. A. HAMILTON,

J. H. AGEE,

*On the part of the House.*

WAR DEPARTMENT, *Washington City, September 11, 1868.*

GENTLEMEN: Your communication of this date to the President, representing the present condition of affairs in Tennessee, and urging the President to take steps to give protection to the law-abiding citizens of that State, together with the joint resolution of the legislature, under which you were appointed, have been referred to Major General George H. Thomas, commanding the department of the Cumberland, for his information.

Major General Thomas has also been directed to report, without unnecessary delay, what military force, in addition to that now under his command, will be required to enable him to give all the necessary aid to the civil authorities of Tennessee to execute the laws, preserve the peace, and protect the law-abiding citizens of that State. Upon receipt of General Thomas's report, the necessary military force will be placed at his disposal.

The President instructs me to say, in reply to your communication, that the military power of the United States will be employed whenever and so far as it may be necessary to protect the civil government of Tennessee against lawless violence, and enable that government to execute the laws of the State, and protect the law-abiding citizens.

I am, gentlemen, very respectfully, your obedient servant,

J. M. SCHOFIELD,

*Secretary of War.*

To the Hons. WM. H. WISENER, T. A. HAMILTON, and J. H. AGEE,

*Joint Select Committee of the Legislature of Tennessee.*



## WAR DEPARTMENT,

*Washington City, September 11, 1868.*

GENERAL: Messrs. William H. Wisener, T. A. Hamilton, and J. H. Agee, a committee appointed by the legislature of Tennessee, have waited upon the President, represented to him the present condition of affairs in Tennessee, and urged him to take steps to give protection to the law-abiding citizens of that State. A copy of the joint resolution under which the committee was appointed, and of a written communication from the committee to the President, are furnished herewith for your information.

You will please report, without unnecessary delay, what force, in addition to that now under your command, will be required to enable you to give all necessary aid to the civil authorities of Tennessee to execute the laws, preserve the peace, and protect the law-abiding citizens of that State.

The instructions heretofore given from this department are deemed sufficient for your government. It was the purpose of those instructions to confer upon you all the power which the laws allow, and it is the wish of the President that you exercise, within the limits of your lawful authority, full discretion in your action, to the end that, in any event, the peace may be preserved.

Very respectfully, your obedient servant,

J. M. SCHOFIELD,

*Secretary of War.*

Major General GEORGE H. THOMAS,

*Commanding Department of the Cumberland.*

## HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,

*Louisville, Ky., September 17, 1868.*

SIR: I have the honor to herewith transmit to you a copy of a letter from the Secretary of War, dated the 11th instant, and a copy of General Order No. 65, from these headquarters, containing instructions to me to give aid to the civil authorities in the execution of the laws.

To enable me to make the report required in the letter from the Secretary of War, I have to request you to inform me as to the localities in which the difficulty of enforcing the laws exists, and the degree of the same, so that I may be able to judge of the number of troops required to sustain the authorities of the State of Tennessee.

Very respectfully, your obedient servant,

GEORGE H. THOMAS,

*Major General United States Army, Commanding.*

His Excellency WILLIAM G. BROWNLOW,

*Governor of Tennessee, Knoxville, Tennessee.*

## STATE OF TENNESSEE, EXECUTIVE DEPARTMENT,

*Knoxville, September 21, 1868.*

SIR: I have the honor to acknowledge the receipt of yours of the 17th instant, covering Secretary Schofield's order to you of the 11th instant, and also General Orders No. 65 in reprint.

The counties in which troops will be needed are Sumner, Robertson, Montgomery, Franklin, Lincoln, Marshall, Davidson, Dyer, Obion, Gibson, Hardiman, Wayne, Shelby, Tipton, Fayette, Madison, Bedford, Rutherford, Giles, and Maury.

I think one company in each county will be sufficient. The presence of federal troops in each county named will quiet things, whereas the presence of State militia would exasperate them.

It is not easy to state "the degree of the difficulty in enforcing the laws" in the several localities. For a better idea of this than I can give you, I refer you to the report of the legislative committee on the subject of disturbances in Tennessee, and also to General Carlin's

showing of the murders committed in Tennessee during the last few months; both of which you doubtless have at command.

It is proper, however, to say that the difficulty is greater in some counties than in others. Among these may be named Lincoln, Marshall, Maury, Gibson, Obion, Giles, and Fayette.

I have the honor to remain your most obedient servant,

W. G. BROWNLOW,

*Governor, &c.*

Major General GEORGE H. THOMAS, Commanding,

*Headquarters Department of the Cumberland, Louisville, Ky.*

# HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,

*Louisville, Ky., September 23, 1868.*

GENERAL: I have the honor to acknowledge the receipt of your letter of 11th instant, covering copies of the communication of the select committee of the Tennessee legislature to the President of the United States, and your communication to said committee. Referring to that portion of your letter to me requiring a report, "without unnecessary delay, of what force, in addition to that now under my command, will be required to enable me to give the necessary aid required to sustain the civil authorities of Tennessee;" and to that portion of your letter to the committee which states that "upon receipt of General Thomas's report the necessary military force will be placed at my disposal," I have the honor to report as follows: Upon receipt of your letter I addressed his excellency Governor Brownlow, requesting him to inform me of the localities in which troops would be required, and the degree of the difficulties in enforcing the laws in those localities. His reply has been received this day, and that, in connection with my own opinions, based on official information of the state of affairs in this State, justifies me in requesting you to send me one regiment of infantry for the duty required. You will please direct it to proceed as follows: The headquarters of the regiment, with three companies, to Columbia, Maury county, and one company each to the county seats of the following named counties: Franklin, Lincoln, Marshall, Wayne, Bedford, Rutherford, and Giles.

The troops should bring with them complete camp equipage. The above-named counties are all in Middle Tennessee. It is my intention to distribute the 45th infantry through the northern tier of counties, and the 25th infantry through West Tennessee. These are all the troops now in Tennessee. The 2d infantry, now in Kentucky, should be kept there, as the present state of excitement caused by the political canvass, and resistance to the United States civil officers now existing, require their presence.

It is believed that after the national election in November the additional troops now called for will be no longer needed.

Very respectfully, your obedient servant,

GEORGE H. THOMAS,

*Major General United States Army, Commanding.*

Brevet Major General JOHN M. SCHOFIELD,

*Secretary of War, Washington, D. C.*

WAR DEPARTMENT,

*Washington City, September 12, 1868.*

[Extract.]

GENERAL:       \*       \*       \*       \*       \*       \*

I beg leave, in this connection, to ask your attention to the importance to this department of having a report, in each case, from the military commander who may have been called on for troops to aid a civil officer, so that the President may not be under the necessity of acting in so delicate a matter upon the request of the civil officer alone. I may also add that

in all ordinary cases the request for the President's order is only a formality required by the law. If his orders are actually given, in any case they must be based, at least mainly, upon the opinion and recommendation, or statement of facts of the department commander. In all plain cases, unless there is ample time to send here for instructions, the President's orders may very well be anticipated by the department commander. And, in doubtful cases, the President ought to have the opinion and advice of that commander before giving his orders.

You are hereby authorized and directed, if in your judgment such aid is necessary, to render to the United States marshal in Kentucky the military aid asked for in his letter to you, dated September 3, 1868.

Very respectfully, your obedient servant,

J. M. SCHOFIELD,  
*Secretary of War.*

Major General GEORGE H. THOMAS,  
*Commanding Department of the Cumberland, Louisville, Ky.*

*Enrolled joint resolution and memorial to the President of the United States, as Commander-in-chief of the army.*

Whereas it has come to the knowledge of this general assembly that in many portions of the State the civil authorities have not yet assumed the discharge of the duties of their respective offices under the present State government, in consequence of resignation in some cases, and want of time to qualify in others. And whereas, in consequence of the want of such civil organization in many of the counties in this State, the laws are neither respected nor obeyed; and violence has been committed in many cases upon human life; numbers of peaceable men have been forced to leave their homes, others have been compelled to emigrate from the State; society is fast verging to a state of anarchy; officers have been intimidated from a discharge of their duty, and others have been forced to resign and vacate their offices; these and many other acts of violence have been committed, growing out of the delay in perfecting the proper civil organizations as aforesaid. We are satisfied that the people and society generally, and the best interests of the whole country, and the cause of peace, law and order in this State, require the immediate protection of an armed force, to be detailed by the President of the United States under the authority of the Constitution, in such portions of the State as may be hereafter designated. In view of the approaching exciting election, and the absence of the usual legal restraints thrown around the people on such occasions, and the necessity for such protection as aforesaid, it is therefore hereby resolved by the general assembly of Alabama—

1st. That his Excellency the President of the United States be, and he is hereby, respectfully memorialized to detail a sufficient force for this State to secure such protection as is indicated above.

2d. That a joint committee consisting of two members of the senate and three from the house, to be appointed by the presiding officers of each house, with authority to proceed to Washington city to lay this application before the President and to negotiate all the necessary details.

3d. That his excellency William H. Smith, governor of Alabama, be, and he is hereby, respectfully requested to act as a member of said committee, and to proceed to Washington city with full authority to represent Alabama in the premises.

Approved September 22, 1868.

Referred to the honorable the Secretary of War for consideration and action.

ANDREW JOHNSON.

SEPTEMBER 28, 1868.

WAR DEPARTMENT,  
*Washington City, September 29, 1868.*

Respectfully referred to Major General George G. Meade, commanding department of the South, for his action under the instructions from this department transmitted to General

Meade August 25, 1868. It was the purpose of those instructions to confer upon the department commander all the authority which the laws allow; and it is the wish of the President that, within the limits of his lawful authority, Major General Meade exercise full discretion in his action, to the end that in any event the peace may be preserved.

J. M. SCHOFIELD,  
*Secretary of War.*

HEADQUARTERS OF THE ARMY,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, September 29, 1868.*

Respectfully transmitted to Major General Meade, commanding department of the South, for his guidance.

By command of General Grant :

E. D. TOWNSEND,  
*Assistant Adjutant General.*

WAR DEPARTMENT,  
*Washington City, September 14, 1868.*

GENERAL: Your communication of September 1, enclosing, for the information of the President, a communication from the governor of Louisiana, making application for troops, and your reply thereto, and a copy of your Circular No. 2, of September 1, have been received.

\* \* \* \* \*

The peculiar condition of the southern States at this time renders it necessary for the army to do all that the laws allow for the preservation of peace.

The mere presence of troops is generally sufficient to prevent a serious breach of the peace.

As it is generally lawful and proper for the military commander to send his troops wherever he may apprehend a necessity for their use, it is much better thus to prevent such necessity than to wait until it has actually arisen.

It is the wish of the President that you exercise within the limits of your lawful authority full discretion in your action, to the end that in any event peace may be preserved.

\* \* \* \* \*

I am, very respectfully, your obedient servant,

J. M. SCHOFIELD,  
*Secretary of War.*

Brevet Major General BUCHANAN,  
*Commanding Department of Louisiana.*

#### TELEGRAMS.

NEW ORLEANS, *September 11, 1868.*

Major General JNO. M. SCHOFIELD, *Secretary of War :*

There will be a large torch-light procession here to-morrow night, in which many colored men will participate. Intense excitement over the proposed demonstration exists, which forces me to request that general commanding be instructed to dispose the troops at his command to prevent an assault, which may result in a wide-spread and general destruction of life and property.

EDWARD HATCH,  
*Bvt. Maj. Gen., Com. Bureau R., F., & A. I.*

WAR DEPARTMENT,  
Washington City, September 12, 1868.

Brevet Major General E'D HATCA,

*Assistant Commissioner Freedmen's Bureau, New Orleans, La. :*

Your despatch of yesterday, relative to apprehended trouble to-night, has been received, and the instructions you suggest have been sent to the commanding general.

J. M. SCHOFIELD,  
*Secretary of War.*

WAR DEPARTMENT, ADJUTANT GENERAL'S OFFICE,  
Washington City, September 12, 1868.

To the COMMANDING GENERAL,  
*Department of Louisiana, New Orleans La. :*

Brevet Major General Hatch, assistant commissioner of the Freedmen's Bureau, reports that there is danger of an assault upon a torch-light procession in New Orleans to-night.

You will so dispose and employ the troops under your command as to prevent such assault and preserve the peace.

Please acknowledge receipt of this despatch.

By command of General Grant:

J. C. KELTON,  
*Assistant Adjutant General.*

NEW ORLEANS, September 12, 1868.

Bvt. Brig. Gen. J. C. KELTON,  
*Assistant Adjutant General :*

Despatch received. There is no danger, in my opinion, of any assault upon the procession to-night. The danger is that the negroes will commence a riot, and that the public property may possibly be destroyed. I have made arrangements to protect it, and shall use all of my disposable troops for the purpose. Am I to interfere any further than this? The governor has not asked for assistance.

ROBT. C. BUCHANAN,  
*Bvt. Maj. Gen. Commanding.*

Hon. SECRETARY OF WAR :

NEW ORLEANS, October 20, 1868.

SIR: To preserve order and prevent collisions, the presence of two more regiments in Louisiana before the presidential election is desirable. Can I have them?

I have the honor to be, very respectfully,

LOVELL H. ROUSSEAU,  
*Brevet Major General Commanding.*

ADJUTANT GENERAL'S OFFICE,  
Washington, October 22, 1868.

Major General A. C. GILLEM, U. S. A., *Vicksburg, Mississippi :*

By direction of the Secretary of War, you will send to Louisiana, for temporary service, all the troops you can spare from Mississippi. Communicate with General Rousseau, and direct the troops to their destination as he may indicate. Acknowledge receipt of this and report your action by telegraph. Did you receive despatch of 20th instant from Secretary of War on this subject?

By command of General Grant.

E. D. TOWNSEND,  
*Assistant Adjutant General.*

JACKSON, MISS., *October 24, 1868.*

Major General E. D. TOWNSEND :

Your telegram of the 22d received to-day. I will send General Rousseau five or six companies. Have asked him where they shall be sent. Will afford all possible assistance. The despatch of the Secretary of War was answered on the 22d instant.

ALVAN C. GILLEM,  
*Brevet Major General.*

NEW ORLEANS, LA., *October 23, 1868.*General J. M. SCHOFIELD, *Secretary of War :*

I have received the following official communication, which I believe to be true, from the governor of Louisiana, and ask for instructions in the premises :

"GENERAL: The evidence is conclusive that the civil authorities in the parishes of Orleans, Jefferson, and St. Bernard are unable to preserve order and protect the lives and property of the people. The act of Congress prohibiting the organization of militia in this State strips me of all power to sustain them in the discharge of their duties, and I am compelled to appeal to you to take charge of the peace of these parishes and use your forces to that end.

"If you respond favorably to my request, I will at once order the sheriff and police forces to report to you for orders.

"Very respectfully, your obedient servant,

"H. C. WARMOTH,  
*Governor of Louisiana.*

"Major General L. H. ROUSSEAU,  
*Commanding Department of Louisiana."*

L. H. ROUSSEAU,  
*Brevet Major General, Commanding.*

WAR DEPARTMENT,  
*Washington City, October 27, 1868.*

Brevet Major General L. H. ROUSSEAU,

*Commanding Department of Louisiana, New Orleans, Louisiana :*

Your despatch of the twenty-sixth, forwarding a message from the governor of Louisiana, and asking instructions, has been received. You are authorized and expected to take such action as may be necessary to preserve peace and good order, and to protect the lives and property of citizens.

J. M. SCHOFIELD,  
*Secretary of War.*

Transmitted by command of General Grant.

E. D. TOWNSEND,  
*Assistant Adjutant General.*

NEW ORLEANS, LA., *October 23, 1868.*To Hon. J. M. SCHOFIELD, *Secretary of War :*

Your despatch of October 27, 1868, is received.

Last night passed off quiet, and all is quiet now—2 p. m. I have prevailed on the board of police commissioners to appoint General Steedman chief of police. The appointment gives general satisfaction and calms the public mind. I think I can keep the peace.

LOVELL H. ROUSSEAU,  
*Brevet Major General, Commanding.*

NEW ORLEANS, October 29, 1868.

To Hon. J. M. SCHOFIELD, *Secretary of War*:

By an act of the last legislature, the organization of a metropolitan police force for the parishes of Orleans, Jefferson and Saint Bernard, to be known as the Metropolitan Police, district of New Orleans, State of Louisiana, was authorized and is now acting. Yesterday, under the city charter, the mayor and common council ordered the appointment of a police force, claiming that the charter had not been repealed, and that they have the right to organize a police force for the city of New Orleans. They appointed General Steedman chief of this police. He will resign the appointment by the police commissioners, and will not accept that made by the mayor and council.

I have no time nor inclination, nor do I think it my province, to decide these legal questions. We shall probably have rival police forces to-day. I wish instructions in the following contingencies, viz: First, should these police forces come into collision, when, if at all, am I to interpose? Second, should there be no collision, is it my duty to intermeddle? Time is pressing. Please send a prompt reply. Last night passed off quiet, and all is quiet now.

L. H. ROUSSEAU,  
*Brevet Major General, Commanding.*

WAR DEPARTMENT,  
*Washington City, October 29, 1868.*

Brevet Major General L. H. ROUSSEAU,

*Commanding Department of Louisiana, New Orleans, Louisiana :*

I have received your despatch of this date, referring to the organization of rival police forces in New Orleans, and asking instructions. It is impossible to give instructions in detail from this distance in the short time allowed. You already have ample authority to do what is necessary to preserve the peace, and you must take the responsibility of action.

J. M. SCHOFIELD,  
*Secretary of War.*

[Unofficial.]

WAR DEPARTMENT,  
*Washington City, October 29, 1868.*

Brevet Major General L. H. ROUSSEAU,

*Commanding Department of Louisiana, New Orleans Louisiana :*

Referring to your despatch of this date, it is my opinion that you cannot be exempted from responsibility of judgment as to the lawfulness of the rival police organizations in New Orleans. It is your duty to support the lawful police; or, if necessary, you may temporarily replace it by your troops. But you cannot lawfully recognize and support an unlawful organization. It looks to me at this distance as if your troops would be a good temporary substitute for both the rival police forces, but of that you must judge.

J. M. SCHOFIELD,  
*Secretary of War.*

NEW ORLEANS, October 29, 1868.

Hon. J. M. SCHOFIELD, *Secretary of War*:

The proclamation which follows this was issued by me yesterday:

"HEADQUARTERS DEPARTMENT OF LOUISIANA,  
"STATES OF LOUISIANA AND ARKANSAS,  
"New Orleans, Louisiana, October 28, 1868.

"To the people of New Orleans, Louisiana :

"FELLOW CITIZENS: I have received instructions from the authorities at Washington to take such action as may be necessary to preserve peace and good order, and to protect the lives and property of citizens. As the city is quiet to-day I think it a proper time to make the above announcement, and to call upon all law-abiding citizens to aid me hereafter in car-

rying out these instructions, and to that end earnestly request to refrain from assembling in large bodies on the streets; to avoid exciting conversation and other causes of irritation and excitement, and to pursue their ordinary avocations as usual. The police force of the city has been reorganized, and inefficient members have been dropped from the rolls and others appointed in their places, and General J. B. Steedman is appointed chief of police, *pro tem*, by the board of police commissioners.

"General Steedman and his police force will be supported by the military, and assurance is given alike to the peaceful and the lawless, that everything at my command, and to the utmost of my ability, will be used in the endeavor to obey these instructions. For the present, political processions and patrolling the streets by armed men are prohibited.

"LOVELL H. ROUSSEAU,

*"Brevet Major General, Commanding Department."*

LOVELL H. ROUSSEAU,  
*Brevet Major General, Commanding.*

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NEW ORLEANS, October 29, 1858.

Hon. J. M. SCHOFIELD, *Secretary of War*:

The mayor of New Orleans has appointed a chief of police, who has demanded a surrender by the legally constituted authorities. I ask that General Rousseau be instructed to maintain the latter in possession, and to repress any violent efforts to enforce such surrender made by the appointee of the mayor, backed as I believe he will be by the mob.

H. C. WARMOTH, *Governor.*

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NEW ORLEANS, October 30, 1858.

Hon. J. M. SCHOFIELD, *Secretary of War*:

The city is perfectly quiet after a quiet night. The Metropolitan Police are still in office. General Steedman will not resign until after your answer to this despatch. As soon as he resigns the mayor's police will take possession, and in my opinion there will be no resistance made by the Metropolitan. Your instructions of yesterday do not answer several questions of my despatch specifically. Please inform me whether I must interfere in case there is no collision and no breach of the peace. The question of right, I understand, is now before the courts on a writ of injunction against the mayor. On all sides the feeling towards the military is very friendly, and the earnest desire that this shall continue prompts me to ask the specific instructions above.

LOVELL H. ROUSSEAU,  
*Brevet Major General U. S. A., Commanding.*

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EXECUTIVE OFFICE,  
Washington, D. C., October 31, 1858.

Brevet Major General LOVELL H. ROUSSEAU,

*Commanding the Department of Louisiana, New Orleans:*

You are expected and authorized to take all legitimate steps necessary and proper to prevent breaches of the peace or hostile collisions between citizens. Questions relating to the civil polity of the State must be left to the proper civil authorities for consideration and settlement. The object is to preserve peace and restore civil government to the people, according to the principles laid down in the Constitution.

You are referred to instructions heretofore given, which are deemed full and ample for all just and lawful purposes.

ANDREW JOHNSON.

Transmitted by command of General Grant. Acknowledge receipt.

E. D. TOWNSEND,  
*Assistant Adjutant General.*



WAR DEPARTMENT,

*Washington City, October 31, 1868.*To Governor WARMOTH, *New Orleans, La.:*

For answer to your despatch of the 29th you are referred to a telegram from the President to General Rousseau of this date.

J. M. SCHOFIELD,

*Secretary of War.*

HEADQUARTERS DEPARTMENT OF LOUISIANA,  
(STATES OF LOUISIANA AND ARKANSAS,)

*New Orleans, Louisiana, October 31, 1868.*To General J. M. SCHOFIELD, *Secretary of War, Washington, D. C.:*

Last night was quiet, and all quiet to-day. I believe the trouble is over. The police mud-dle is in court. Having met the representatives of the press last night in a body, I am satisfied they will endeavor to allay the excitement. The tone of the newspapers this morning is generally temperate and conservative. I have very little apprehension of collision on election day. The late lawless acts, with few exceptions, were the work of small parties. and could not be prevented, except by the police, which was worthless, composed as it was of about 230 negroes and about 130 whites.

The negroes are dismissed and a new force organized of about 500 stout, courageous white men.

L. H. ROUSSEAU,

*Brevet Major General U. S. Army, Commanding.*

HEADQUARTERS DEPARTMENT OF LOUISIANA,  
(STATES OF LOUISIANA AND ARKANSAS,)

*New Orleans, Louisiana, November 2, 1868.*To ADJUTANT GENERAL U. S. ARMY, *Washington, D. C.:*

All quiet last night and to-day, and I expect no trouble to-morrow.

The registration records of the first ward were lawlessly destroyed last night. Three and one-half times as many democrats as republicans in this ward.

L. H. ROUSSEAU,

*Brevet Major General U. S. Army, Commanding.**NEW ORLEANS, November 3, 1868.*To General J. M. SCHOFIELD, *Secretary of War:*

All quiet last night and still quiet to-day. The election peacefully progressing. Very few negroes voting. On the application of General Herron, United States marshal, I ordered on yesterday a company of infantry to Franklin, to aid in the arrest of parties charged in the murder of Colonel Pope and Judge Chase, who were arrested and refused to come until after the election.

L. H. ROUSSEAU,

*Bvt. Maj. Gen. U. S. A., Commanding Dep't Louisiana.**NEW ORLEANS, November 4, 1868.*Hon. J. M. SCHOFIELD, *Secretary of War, through Headquarters of the Army:*

As I anticipated, the election passed off quietly yesterday. No disturbance last night; no appearance of it to-day. In fact, the city was perhaps never more quiet. Very few negroes

voted, although the whites went to great trouble to induce them to do so. The vote of the property-holders was very small.

An officer sent to St. Bernard to investigate and report touching riots in that parish.

On the 31st October, at the request of Governor Warmoth, two companies of infantry were sent to Ashwood and St. Joseph, in the parish of Tensas, to prevent disturbance.

L. H. ROUSSEAU,

*Brevet Major General, Commanding.*

SAN FRANCISCO, *October 31, 1868.*

To ANDREW JOHNSON, *President :*

I desire authority, for sufficient reasons, to use United States troops to quell disturbance here if any occurs. Please send the necessary order without delay to myself or General Halleck.

H. H. HAIGHT.

SAN FRANCISCO, *November 1, 1868.*

To ADJUTANT GENERAL ARMY:

Governor Haight has asked for regular troops to prevent riots on election day. I have replied that the order must come from the President.

H. W. HALLECK.

WAR DEPARTMENT,

*Washington City, October 31, 1868.*

Major General HALLECK,

*Commanding Military Division of the Pacific, San Francisco, California :*

In compliance with the request of the governor of California, the President authorizes and directs you to take such action, in conformity to the Constitution and laws of the United States, as may be necessary to aid the civil authorities of California in preserving the peace.

J. M. SCHOFIELD,

*Secretary of War.*

Transmitted by command of General Grant. Acknowledge receipt.

E. D. TOWNSEND,

*Assistant Adjutant General.*

NEW YORK, *November 2, 1868.*

To SECRETARY OF WAR, or ADJUTANT GENERAL *United States Army :*

Information which I have received from the authorities, and from many of the most responsible and prominent citizens of New York, seems to justify the apprehension of a riotous outbreak to-morrow at the election. While I am reluctant to believe that any serious disturbance will occur which will be beyond the control of the civil authorities, it may prove otherwise, and, under the circumstances, I feel it my duty to neglect no legitimate precaution which may be necessary to avoid disorder and violence. I have therefore the honor to request that the proper authorities direct the commanding general of the military division of the Atlantic, and the department of the East, to co-operate with me in preserving the peace, if I should find assistance necessary, and to hold their troops in readiness for that purpose, if their aid should be required to repress violence and uphold the laws.

R. E. FENTON,

*Governor of the State of New York, Fifth Avenue Hotel.*

WAR DEPARTMENT,  
*Washington City, November 3, 1868.*

Major General HANCOCK,  
*Commanding Military Division of the Atlantic, or*  
Major General McDOWELL,  
*Commanding Department of the East, New York City:*

In compliance with a request from the governor of New York, you are hereby authorized and directed to take such action, in conformity to law, as may be necessary to aid the civil authorities of New York in preserving the peace.

J. M. SCHOFIELD,  
*Secretary of War.*

Transmitted by command of General Grant.

E. D. TOWNSEND,  
*Assistant Adjutant General.*

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The ADJUTANT GENERAL OF ARMY:

NEW YORK, *November 3, 1868.*

Your telegram of this date received. Proper attention has been given to it.

W. S. HANCOCK  
*Major General Commanding.*

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Governor R. E. FENTON,  
*Fifth Avenue Hotel, New York City:*

WAR DEPARTMENT,  
*Washington City, November 3, 1868.*

Your despatch asking military aid has been received, and instructions sent accordingly to the commanding general.

J. M. SCHOFIELD,  
*Secretary of War.*

# P A P E R S

ACCOMPANYING

## THE REPORT OF THE GENERAL-IN-CHIEF.

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### REPORT OF LIEUTENANT GENERAL W. T. SHERMAN.

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,  
*St. Louis, Missouri, November 1, 1868.*

GENERAL: The military division of the Missouri is still composed of the departments of Missouri, Platte and Dakota, embracing substantially the country west of the Mississippi river to the Rocky mountains, including New Mexico, Utah and Montana.

These departments are commanded by Generals Sheridan, Augur and Terry, whose annual reports are transmitted herewith, and to them I refer you for more detailed statements of the progress made and of the events of the past year.

You will observe that whilst the country generally has been at peace, the people on the plains and the troops of my command have been constantly at war, enduring all its dangers and hardships, with none of its honors or rewards.

In former reports I endeavored to describe the reasons and causes which made a state of war the normal condition of things on the plains, and have since studied to find some lasting remedy, but thus far without success.

Our people continue as heretofore to settle on the exposed points of the frontier, to travel without the precaution which a well known danger would suggest, and to run after every wild report of the discovery of gold or other precious metal, thus coming into daily contact and necessary conflict with discontented and hostile Indians.

The co-ordinate departments of our government likewise continue to extend the surveys of public land westward, and grant patents to occupants; to locate and build railroads; to establish mail routes, with the necessary stations and relays of horses, as though that region of country were in profound peace, and all danger of occupation and transit had passed away. Over all these matters the military authorities have no control, yet their public nature implies public protection, and we are daily and hourly called on for guards and escorts, and are left in the breach to catch all the kicks and cuffs of a war of races, without the privilege of advising or being consulted beforehand.

The reports of Generals Sheridan, Augur and Terry contain abundant evidence on these points, and I refer to them here merely to demonstrate the fact that as long as these things continue from necessity and public policy, we cannot reduce our military forces on the frontier, and should not even allow their strength to fall away by the rapid causes of death, discharge and desertion, but should keep the ranks continually replenished with fresh recruits.

At the time of my last annual report, October 1, 1867, I was a member of the peace commission, on which the Congress of the United States

had devolved the whole Indian question for a practical, and, if possible, a peaceable solution. At the same time, by an executive order, it was made my military duty to subordinate the acts of all the troops subject to my command, to whatever plan of action the peace commission might adopt. The commission, in its annual report last December to the President of the United States, bears full testimony on this point, to the effect that all the officers of the army, and all the troops with whom they came in contact, had fully and cheerfully co-operated with them in their efforts to bring this difficult business to a peaceful conclusion.

I need not here refer to the deliberations and acts of that commission, further than to state that its members were unanimous in the conclusion that to maintain a permanent peace with the Indians east of the Rocky mountains, they should all at the earliest practicable moment be collected on reservations as far removed as possible from the white settlements and lines of travel, and that there they should be maintained at the cost of the United States until they could wholly or partially provide for themselves. The two principal reservations indicated by the commission were north of the State of Nebraska and west of the Missouri river, and south of the State of Kansas and west of Arkansas. These districts are the only parts of our vast national domain at all adapted to the purpose not already appropriated.

The commission further recommended that for each of these reservations a sort of government should be provided by law, looking to a time in the future when all the Indians would be reduced to the peaceful condition of shepherds, herders, and farmers.

This general plan was justified by the then state of facts, and its wisdom has been demonstrated by more recent events. A sense of national justice dictates that in taking from these savages the lands whose wild game has hitherto fed, clothed and sheltered them, we should, in restricting them to the exclusive use of a part, make them compensation of some sort for the remainder, and if possible procure their consent. Influenced by this consideration, the peace commission, during the fall and winter of 1867 and the spring and summer of 1868, held councils with all or nearly all the tribes and parts of tribes east of the Rocky mountains, making liberal provision for and presents to all who came to the appointed places of council, according to the forms and ceremonies to which they were long accustomed. Formal written treaties were made with each separate tribe, signed with all formality, and transmitted to the Senate of the United States for ratification.

The treaties with the Cheyennes, Arapahoes, Kiowas, Comanches, Navajoes, and Crows, were duly confirmed; but those with the various bands of Sioux, Snakes, &c., were not confirmed, simply, it is inferred, because they were not complete when the Senate adjourned. But for some reason Congress did not take any action on the chief proposition of the peace commission, which was embraced in their report of last December, viz: that which related to the setting apart the two reservations hereinbefore referred to, and providing governments therefor, which was designed to precede the confirmation of any of the treaties, and was the only vital principle of them all.

I regret that I feel compelled to refer to this fact, because many persons attribute to it the reason why we failed to secure a lasting peace, and why we are at this moment engaged in a costly war with four of the principal tribes with which the commission had to deal, viz: the Cheyennes, Arapahoes, Kiowas, and Comanches.

It has always been most difficult to discover the exact truth concerning the cause of a rupture with any Indians. They never give notice beforehand of a warlike intention, and the first notice comes after their

rifles and lances have done much bloody work. All intercourse then necessarily ceases, and the original cause soon becomes buried in after events. The present Indian war in General Sheridan's department is no exception, and, as near as I can gather it, the truth is about this:

Last year, in the several councils held at North Platte and Fort Laramie by the peace commission with fragmentary bands of Sioux, the Indians asserted that they were then, and had been always, anxious to live at peace with their white neighbors, provided we kept faith with them. They claimed that the building of the Powder River road, and the establishment of military posts along it, drove away the game from the only hunting grounds they had left, after our occupation of Montana and Nebraska; that this road had been built in the face of their protest and in violation of some old treaty which guaranteed them that country forever. That road and the posts along it had been constructed in 1865 and 1866, for the benefit of the people of Montana, but had almost ceased to be of any practical use to them by reason of the building of the Union Pacific railroad, whose terminus west of the Black Hills made it easier for the wagons to travel by an older and better road west of the mountains.

For this reason, and because the further extension of this railroad, under rapid progress, would each year make the Powder River road less and less used, the commission yielded to the earnest entreaty of the Sioux, and recommended the abandonment for the time of this road. On the 2d day of last March, General Grant gave the necessary orders for breaking up the posts Forts Reno, Philip Kearney, and C. F. Smith; but it was well towards August before the stores and material could all be hauled away. As we had reason to apprehend, some of the Sioux, attributing our action to fear, followed up our withdrawal by raids to the line of the Pacific road, and to the south of it into Colorado. Others of them doubtless reached the camps of the Arapahoes on Beaver creek, and the Cheyenne camps on Pawnee Fork, near Fort Larned, and told them what had occurred, and made them believe that by war, or threats of war, they too could compel us to abandon the Smoky Hill line, which passes through the very heart of the buffalo region, the best hunting grounds of America.

About this time, viz., August 3d or 4th, a party of Indians, composed of 200 Cheyennes, 4 Arapahoes and 20 Sioux, are known to have started from their camp on Pawnee Fork, on a war expedition, nominally to fight the Pawnees. On the 10th they appeared on the Saline, north of Fort Harker, where the settlers received them kindly; they were given food and coffee, but pretending to be offended because it was in "tin cups," they threw it back in the faces of the women and began at once to break up furniture and set fire to the houses. They seized the women and ravished them, perpetrating atrocities which could only have been the result of premeditated crime. Here they killed two men. Thence they crossed over to the settlements on the Solomon, where they continued to destroy houses and property, to ravish all females, and killed thirteen men. Going on to the Republican, they killed two more men and committed other acts of similar brutal atrocity. As soon as intelligence of this could be carried to Fort Harker, troops were sent in pursuit, who succeeded in driving them away, rescuing some captive children, and killing but few Indians, by reason of their fast ponies and familiarity with the country.

I recite these facts with some precision, because they are proven beyond dispute, and up to the very moment of their departure from Pawnee Fork, no Indian alleges any but the kindest treatment on the part of the agents of the general government, of our soldiers, or of the frontier people; with one exception, Agent Leavenworth.

The soldiers, not only from a natural aversion to an Indian war, which is all work and no glory, but under positive orders from me, had borne with all manner of insult and provocation, in hopes that very soon the measures of the peace commission would culminate in the withdrawal of these savages from the neighborhood of our posts, roads and settlements and thereby end all further trouble.

I was present at Fort Leavenworth when General Sheridan received notice of the attacks on the settlers of the Saline, Solomon, and Republican. He started at once up the road, made every inquiry, and was satisfied our people had given no provocation at all for these wanton acts of barbarity, which were in flagrant violation of their recent treaties. Yet he delayed striking their camps till he had made formal demand through the agent, according to the terms of the treaty, for the actual perpetrators of these very acts. Colonel Wynkoop, agent of the Cheyennes and Arapahoes, sent a messenger out and made every exertion to procure their surrender, but utterly failed of success, for it seems the older and more cautious chiefs, though claiming to desire peace, could not give up so considerable a body of their best young warriors, and of course they all became responsible. All of the Cheyennes at once began a general war along the Smoky Hill and Arkansas roads, and simultaneously attacked every party of white men, who had received no notice of the change in their peaceful relations, and who were therefore unprepared for attack, the aggregate murders amounting to seventy-nine in August and September.

General Sheridan, seeing that war with the Cheyennes was inevitable, then endeavored to keep the Arapahoes out of it. This tribe had been camped for the summer on Beaver creek, and he invited their chiefs into Fort Dodge, where, on the 3d of September, he met Little Beaver, Spotted Wolf, Bull Bear, and other Arapaho chiefs well known to our officers, and in full council these agreed to keep out of the war and to move down to the reservation below the Kansas line, to which they had assented at the Medicine Lodge council. When the time appointed by themselves to come in and to start for Fort Cobb had transpired, they not only did not come in, but were known to be at open war, all the way from Fort Wallace to Denver in Colorado, the very opposite direction.

In like manner, General W. B. Hazen, whom I had appointed to take charge of the lower or southern reservation, met the Kiowas and Comanches at Fort Zarah, on the 22d of September, and agreed to feed and maintain them en route and after they had reached their reservation near Fort Cobb; but when the time came for them to move, they did not go, but were also known to be engaged with the Cheyennes and Arapahoes in the common war. Nevertheless, by my orders, General Hazen has gone to Fort Cobb prepared to fulfil our treaty stipulations with them; and I can imagine no other reason for this conduct than their supposed belief that by war they can force us to abandon their favorite buffalo range, as we have already abandoned to the Sioux the Powder river country.

To show the concurrence of action and simultaneity of hostile acts on the part of these tribes of Indians, in addition to the reports of Generals Sheridan and Augur herewith, I transcribe in this report extracts of telegraphic messages from the governors of Colorado and Kansas.

Acting Governor Hall telegraphed me from Denver, under date of August 27th: "We are completely surrounded by hostile Indians, extending from Cheyenne Wells and South Park, south, to Julesburg, north; estimated at six hundred warriors. From reliable information twelve people have been killed thus far." On the 4th of September, Governor

Hunt telegraphed me from Denver: "Just returned. Fearful condition of things here. Nine persons murdered by Indians yesterday, within a radius of sixty miles," &c. And on the 24th of September, Acting Governor Hall again telegraphed from Denver: "The Indians have again attacked our settlements in strong force, obtaining possession of the country to within twelve miles of Denver. They are more bold, fierce and desperate in their assaults than ever before. It is impossible to drive them out and protect the families at the same time, for they are better armed, mounted, disciplined, and better officered than our men. Each hour brings intelligence of fresh barbarities, and more extensive robberies," &c.

On the 4th of September Governor Crawford, of Kansas, telegraphed from Topeka: "Have just received a despatch from Hays, stating that Indians attacked, captured and burned a train at Pawnee fork, killed, scalped and burned sixteen men; also attacked another train at Cimarron crossing, which was defended until ammunition was exhausted, when the men abandoned the train, saving what stock they could. Similar attacks are of almost daily occurrence. These things must cease. I cannot disregard constant and persistent appeals for help. Can furnish you all the troops necessary. I cannot sit idly by and see our people butchered, but as a last resort will be obliged to call upon the State forces to take the field and end these outrages. I will at once organize two cavalry regiments of picked men, well mounted for volunteer service. Will you accept them?"

All this time General Sheridan in person was laboring with every soldier of his command to give all possible protection to the scattered people in that wide range of country from Kansas to Colorado and New Mexico. But the very necessity of guarding interests so widely scattered made it impossible to spare enough troops to go in search of the Indians in their remote camps. On his requisition I applied to General Grant for more cavalry, and by his orders seven companies of the 5th cavalry, under Major Royall, were collected from Virginia, North Carolina and Tennessee, and despatched to Kansas. On a further call, the Secretary of War, General Schofield, on the 6th of October authorized the acceptance of one mounted regiment of Kansas volunteers for six months. These latter troops are not yet mustered in, but General Sheridan expects to have them in the field in November. With these troops he expects, during this winter, to punish the hostile Indians in his department so that they will not again resort to war, and such as are not killed will be collected by force upon their reservations, and be made to remain there. I will not attempt to describe the many expeditions that have already been made, but for details refer you to General Sheridan's report. They have necessarily been of a desultory and somewhat unsatisfactory character, because the Indians can scatter so long as their ponies can get grass anywhere; but as soon as the winter compels them to collect together in villages, I believe that General Sheridan's troops will be able to find them and to destroy all that offer resistance. It is idle for us longer to attempt to occupy the plains in common with these Indians, for the country is not susceptible of close settlement with farms like Missouri and Iowa, and is solely adapted to grazing. All of our people there are necessarily scattered, and have more or less cattle and horses, which tempt the Indian, hungry, and it may be starving for want of his accustomed game; and he will steal rather than starve, and to steal he will not hesitate to kill. Therefore, a joint occupation of that district of country by these two classes of people, with such opposing interests, is a simple impossibility, and the Indians must yield.

The peace commission has assigned them a reservation, which if held



for 50 years will make their descendants rich; and in the mean time they are promised food, while they are learning to cultivate the earth and to rear tame stock. To labor with their own hands, or even to remain in one place, militates with all the hereditary pride of the Indian, and *force* must be used to accomplish this result. It was for this reason that the peace commission, at its Chicago session in October, after the events before described had occurred, and were known to them, was forced to the conclusion that the management of Indian affairs should be transferred back to the War Department, where it belonged prior to 1849. That department of our government is the only one that can use force promptly without the circumlocution now necessary, and no other department of government can act with promptness and vigor enough to give any hope that the plans and purposes of the peace commission will be carried out. Even then there is doubt that the Indians themselves will make the necessary personal efforts to succeed, and I fear that they will at last fall back upon our hands, a mere mass of helpless paupers.

I am fully aware that many of our good people, far removed from contact with these Indians, and dwelling with a painful interest on past events such as are described to have occurred in Minnesota in 1863 and at the Chivington massacre of 1864, believe that the whites are always in the wrong, and that the Indians have been forced to resort to war in self-defence, by actual want or by reason of our selfishness.

I am more than convinced that such is not the case in the present instance, and I hope I have made it plain. I further believe that the only hope of saving any part of these Indians from utter annihilation is by a fair and prompt execution of the scheme suggested by the peace commission, which can alone be done by the Congress, with the concurrence of the Indians themselves. Even then it will require much patience and hard labor on the part of the officers who execute the plan, which I do not wish to assume myself or impose on other army officers, but it is certain that the only hope to find any end of this eternal Indian war is in the transfer of the entire business to the War Department, and for Congress to enact the laws and provide the necessary money at least a year before it is required to be expended. This is especially necessary in the case of the Sioux, because the Missouri river is only navigable in early summer.

It is true that in the annual appropriation bill, approved July 27, 1868, and which did not become public till the Cheyennes had actually started on the war path, viz., August 3, there was a clause giving half a million of dollars, to be disbursed under my direction as a member of the peace commission, "for carrying out the treaty stipulations, making and preparing homes, furnishing provisions, tools and farming utensils, and furnishing food for such bands of Indians with which treaties had been made and not yet ratified, and in defraying the expenses of the commission in making such treaties and carrying their provisions into effect."

As soon as I got a copy of this bill, viz., August 10, I issued my General Orders No. 4, (a copy of which is herewith enclosed,) in hopes that by its provisions I could prevent the difficulties already begun in Kansas from spreading to the powerful and dangerous tribe of Sioux at the north. This clause in the appropriation bill made no change whatever in the general management of Indians with whom treaties had been made and confirmed, which, as before, remained wholly with the Interior Department.

Upon application to General John B. Sanborn, the member of the peace commission who had been its disbursing agent, I received a list of the outstanding accounts against that commission, amounting to about \$150,000. I therefore retained that sum of money, and have dis-

bursed thereof the sum of \$141,750 19, leaving in my hands at this date a balance of \$8,249 81 applicable to the few items of account still outstanding.

The balance of the appropriation, viz., \$350,000, was distributed as follows:

To General W. S. Harney, for the Sioux .....	\$200,000
To General W. B. Hazen, for the Cheyennes, &c.....	50,000
To General C. C. Augur, for the Snakes, &c.....	50,000
To Major R. S. LaMotte, for the Crows.....	50,000
Total.....	<u>350,000</u>

That the Indians will receive the benefit of every cent of this money I know, and the high character of those officers and their peculiar fitness to the trust named will, I feel assured, carry conviction to all that the disbursement of this money will be in full harmony with the designs and purposes of the peace commission and of Congress.

In the same appropriation bill were two other items of expenditure intrusted to my official supervision, viz: \$200,000 for "seeds, farming implements, work cattle, and other stock provided for in article seven of the treaty" with the Navajo Indians of New Mexico; \$12,500 for constructing warehouse, agency building, blacksmith and carpenter shop, and school-house for the same tribe, (Navajoes.)

The whole of this appropriation, viz., \$212,500, has been transferred to General George W. Getty, commanding in New Mexico, who will see that it is properly applied.

There was another item of appropriation in the same bill, viz., \$150,000 for the removal of the Navajoes from their old reservation at Bosque Redondo to their present reservation near old Fort Defiance, which was subject to the control of the Interior Department, but before the appropriation bill passed these Indians had actually been removed by my military orders given on the spot, at a cost to the army of less than \$50,000; and I am now at a loss to know if this money can be refunded to the army out of the appropriation referred to.

I expect to receive from the several officers named in my General Orders No. 4, and to lay before the War Department before the close of this year, a full census of all the Indians for whom they are required to provide, with carefully prepared estimates of funds needed to protect the system thus begun by them; after which they can be transferred back to their civil agents, or retained, according to whatever action Congress may take this winter on the several recommendations of the Indian peace commission; but, knowing the pressing necessities of some of these Indians at this moment, I would ask an early appropriation of \$300,000 for General Harney, and \$200,000 for General Hazen.

I deem these sums indispensable to provide for the peaceful Indians this winter, and to enable them to make a fair beginning next spring in their farming operations on the reservations to which they have been or may be removed.

In conclusion, I will remark that I propose to continue as now to have Generals Terry and Augur protect the Missouri river traffic and the Union Pacific railroad with jealous care, and to gather in all the wandering bands of Sioux to the reservation north of Nebraska, where General W. S. Harney is prepared to feed and protect them to the extent of the means placed at his disposal; and to afford General Sheridan every means subject to my control to destroy or punish the hostile Indians of his department till they, of their own volition, will go to Fort Cobb and

remain there on the reservation assigned them, under the care of General W. B. Hazen, who is also prepared, to a limited extent, to provide for their necessities.

This double process of peace *within* their reservations and war *without* must soon bring this matter to a conclusion.

With great respect, your obedient servant,

W. T. SHERMAN,  
*Lieutenant General.*

Brevet Major General E. D. TOWNSEND,  
*Assistant Adjutant General, Washington, D. C.*

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[General Orders, No. 4.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,  
*St. Louis, Mo., August 10, 1868.*

Certain duties connected with Indian disbursements having been devolved upon the Lieutenant General commanding, by law, in connection with his military command, and in order that the same may be conducted in full harmony with the military interests of the frontier, the following orders are made :

1. Commanders of departments, districts, and posts charged with the peace and police of the frontier, will construe themselves so far the agents of the "plains Indians" as to afford them temporary support to conduct them to their reservations, hereinafter named, and to report to their immediate superiors all matters requiring their notice. No supplies or presents of any sort will be made by military commanders to Indians outside of their reservations, except for special services rendered, unless the Indians be actually in distress and *en route* to their proper homes.

When Indians are on reservations, with civilian agents actually present with them, no interferences will be made ; but military commanders may note any neglects or irregularities on the part of said Indians or their agents, and will report the same for the information of the government.

2. The following district of country is set aside for the exclusive use of the Sioux nation of Indians, viz : bounded east by the Missouri river, south by the State of Nebraska, west by the one hundred and fourth meridian of longitude west from Greenwich, and north by the forty-sixth parallel of latitude, and will constitute a district under the command of Brevet Major General W. S. Harney, United States army, who will have the supervision and control of the Sioux and of all issues and disbursements to them, subject only to the authority of the Lieutenant General commanding, but in matters affecting the United States troops stationed in said district they will be subject to the department commander, Brevet Major General A. H. Terry.

3. In like manner the country bounded east by the State of Arkansas, south by Texas, north by Kansas, and west by the one hundredth meridian of longitude west from Greenwich, is set apart for the exclusive use of the Cheyennes, Arapahoes, Kiowas, and Comanches, and such other bands as are now or may hereafter be therein located by proper authority, and will constitute a district, under command of Brevet Major General W. B. Hazen, United States army, who will have the supervision and control of all issues and disbursements to said Indians, subject only to the authority of the Lieutenant General commanding, but in matters affecting the troops stationed in said district subject to the department commander, Major General P. H. Sheridan.

4. Brevet Major General George W. Getty, commanding district of New Mexico, in addition to his proper military duties, is charged with all disbursements affecting the Navajoes.

5. Brevet Major R. S. La Motte, 13th United States infantry, commanding Fort Ellis, in addition to his proper military duties, is charged with making all disbursements affecting the Crows.

6. Brevet Major General C. C. Augur, commanding department of the Platte, is charged with making all disbursements affecting the Shoshones, Snakes, and kindred tribes.

7. Each of said officers may select, and, with the consent of the department commander, may detail, an officer to act under him as a disbursing officer, who shall receive the extra compensation due an acting commissary of subsistence, and hire such clerical force as is absolutely necessary, to be paid out of the Indian appropriation fund, which officer shall have charge of all moneys, property, stores, &c., for the use of the Indians, and shall make the same reports and returns to these headquarters as are prescribed by army regulations for the subsistence department.

When these officers are named the Lieutenant General will cause to be placed to their credit, at some convenient public depository, the proportion of the appropriation allotted to their agency, and in no event, or under no circumstances, will any purchases, contracts, or engagements be made in excess of the actual money thus subject to their credit. All checks, accounts, and vouchers must have the signature of the disbursing officer, countersigned by his principal.

8. Purchases will consist chiefly of beef cattle, meat, grain, and bread, (sugar and coffee only in exceptional cases,) clothing for the old and young, of material suited to their condition, and of seed and agricultural tools for cultivation. The chief quartermasters and commissaries at Chicago, St. Louis, Omaha, and Leavenworth will purchase, on the requisition of the officer charged with these issues, on being supplied with the necessary funds or credits. As far as possible consistent with a due economy, purchases by the disbursing officer will be made at the place of consumption, and commanding officers of departments may allow the officers charged with these duties to purchase of their depot and post commissaries and quartermasters any article of food and corn, clothing, harness, condemned wagons, horses, mules, and oxen, that may be on hand in excess, or which may have been condemned by a board of survey or an inspector, at the cost to the government at the place of delivery, or at a valuation fixed by the board of survey or by the inspector.

9. Issues to Indians will be made when practicable only to those actually present or certified as present at the camp, but always must be witnessed by some army officer of rank not below captain, according to section (2) two, act of Congress approved July 27, 1868, and all issues will conform as near as possible with the terms of the treaties made by the Indian peace commission, whether confirmed or not, copies of which will be furnished.

10. When points arise not covered by these orders, all officers will be governed by the army regulations, and these orders will expire with the existing appropriation bill, viz, June 30, 1869, when, if not otherwise ordered, all accounts will be closed, and the officers herein named will resume their proper army duties and stations.

By order of Lieutenant General Sherman:

W. A. NICHOLS,  
*Assistant Adjutant General.*

## REPORT OF MAJOR GENERAL P. H. SHERIDAN.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,  
*In the Field, Fort Hays, September 26, 1868.*

GENERAL: In reply to your letter of September 17, 1868, asking for a report of the facts touching the beginning the present Indian troubles, I have the honor to respectfully submit the following:

Early in the spring, after assuming command of the department of the Missouri, I visited the line of military posts on the Arkansas. About Fort Dodge, Kansas, I found many Indians there encamped, embracing Kiowas, Comanches, Arapahoes, and Cheyennes. They asked me to have an interview with them, which I declined, stating to them that I was simply visiting the military posts to learn their condition and that of the soldiers, and that I was not authorized to talk with them.

From all I could learn at Dodge there appeared to be outspoken dissatisfaction on the part of all these Indians to removing to the reservations assigned to them by the treaty of Medicine Lodge creek of the previous fall. I learned from officers and others that all the tribes considered the treaty of no importance, save to get the annuities promised them in it, and that they did not intend to remove to their reservations.

The manner of the Indians, so far as I saw, was insolent and overbearing, and so manifest as to cause me to take all the precautions in my power to protect railroad and other lines of travel in the district of the upper Arkansas.

The difficulty of maintaining peace for the summer was then so apparent, and my desire to maintain friendly relations so great, that I thought I would engage three good men familiar with Indian language and well known in the tribes, so that any misunderstanding or accidental circumstance might be explained at once and under my own immediate directions. In carrying out this intention I employed Mr. William Comstock, Mr. Grover, and Mr. Parr, giving to Comstock and Grover all Indians west of Wallace and on the head-waters of Walnut and Pawnee creeks, and to Mr. Parr all Indians on the Solomon and Saline, placing in charge of these scouts Lieutenant F. H. Beecher, 3d infantry, a very intelligent and trustworthy officer, with directions to communicate to me every week, or oftener, and to use every effort to maintain peace. Much good was accomplished by Beecher and his three men, who travelled constantly and kept me well posted on the location of the Indians and their movements. Lieutenant Beecher and these scouts were under my own special orders.

Matters went on pretty well until the arrival of the Kiowas and Comanches at Fort Larned, about the 4th of July, except occasionally trains would be stopped on the roads, and coffee, sugar, and food demanded and obtained before they were allowed to go on. Previous to their arrival the most threatening reports reached me of their intentions, and General Sully deemed it best to move six (6) companies of the 7th cavalry from Ellis Station, west of Hays, to Larned, at the same time moving there himself with two (2) more companies of cavalry from Harker. General Sully notified me after his arrival at Larned that these Indians would require rations, or we would have war. I permitted him to issue to them in small quantities, having the consent of the Lieutenant General, and they were thus and by the presence of a large force of cavalry kept quiet.

Some time before the arrival of the Kiowas and Comanches at Larned the Cheyennes made a raid against the Kaw Indians, located within the

settlements at Council Grove, alarming the people very much and doing some insignificant damage to the settlers and robbing about seven houses. This I believe caused the Commissioner of Indian Affairs to suspend the issue of arms and ammunition, but authorizing the agent at Fort Larned to give to them their annuities; so the agent sent to the tribe their annuities, withholding their guns, pistols, and ammunition. This incensed the Indians, who told the agent in a very insolent manner, while the teams were hauling the goods to their camp, that he could haul them back again, as they would have nothing unless they were given their fire-arms and ammunition. The agent sent for the wagons and brought them back to Larned. I think this was about the 1st of August. I am not positive as to the date.

On the 3d or 4th of August a party of about two hundred Cheyennes, four Arapahoos, and twenty Sioux, then visiting the Cheyennes, organized and left their camps on Pawnee creek and proceeded first to the Saline valley, north of Fort Harker. They were kindly received by two farmers living in the advanced settlements, and given coffee, &c. After throwing the coffee in the faces of the women serving it to them, because it was given to them in tin cups, they then commenced the robbery of the houses, and violated the women until they were insensible from brutal treatment. This was on the 10th of August. They then crossed to the settlements on the Solomon, approaching them on the 12th, where they were again kindly received and served with coffee; after which they commenced robbing the house, taking the stock, ravishing the women, and murdered thirteen (13) men. Two of the women outraged were also shot and badly wounded. A small party then crossed to the Republican and killed two persons there; but the main party returned to the Saline, carrying with them as captives two children named Bell. After arriving at the Saline they commenced attacking the settlers, evidently with the intention of cleaning out the whole valley; but while Mr. Schermerhorn was defending his house, Colonel Benteen, with his company of the 7th cavalry, which had marched swiftly from Zarah, arrived, and hearing the firing, went to the relief of the house which was being attacked, and ran the Indians about ten (10) miles. Lieutenant Beecher, who was with his scouts on Walnut creek, hearing there was trouble on the Solomon and Saline, but without knowing its nature, despatched Comstock and Grover to the camp of Turkey Leg, on the Solomon, to be ready to explain in case the white people were at fault. They were ordered out of Turkey Leg camp, and were followed by a party of seven Indians, professing friendship; and while conversing with them were both shot in the back—Comstock killed instantly and Grover badly wounded; but by lying on the ground, making a defence of Comstock's body, he kept the Indians off and made his escape in the darkness of the night. From this time out, and almost before information could be communicated by Indian runners, people were killed and scalped from the Cimarron river, south of the Arkansas, to the Republican, and from the settlements on the Solomon and Saline west to the Rocky mountains; stock run off, trains burned, and those accompanying them, in some cases, thrown into the flames and consumed. The most horrible barbarities were perpetrated on the dead bodies of these victims of savage ferocity.

There was no provocation on the part of the white people during the whole summer, although some of them had to abandon their ranches. Friendly issues were made at the military posts to the Indians visiting them, and large issues made by the Indian department of rations and goods.

I should have said that after the agent, Mr. Wynkoop, had brought the wagons containing the Cheyenne annuities back to Larned, that he subsequently issued the annuities and arms, and ammunition, but without knowing that the Indians had commenced hostilities. There was not the slightest provocation offered by the soldiers or citizens for the commencement of this war by the Indians.

After the adjournment of the commission ordered to meet at Leavenworth to pass on Indian contract claims, I proceeded to Harker, arriving there on the 20th of August; and in an interview with Colonel Wynkoop, the agent of the Cheyennes and Arapahoes, he stated that he knew of no cause unless it was the refusal of the Indian department to issue them arms and ammunition at the time above named; but was of the opinion that a medicine man of the Sioux, who had great influence, might have succeeded in making them believe that they could compel the white people to abandon the Smoky Hill country as they, the Sioux, had compelled the abandonment of the Powder River country.

Mr. Wynkoop urged on me that many of the Indians were not guilty, especially the band of "Little Rock," (Cheyenne,) and that he ought to be protected. This I agreed to, and gave my consent to his being brought into Larned and taken care of. He did not come in, however.

It was also alleged that but few of the Arapahoes were guilty; and General Sully having invited Little Raven and other head chiefs of the Arapahoes to come into Fort Dodge under a flag, I had an interview with them personally, and agreed to provide for them for the winter if they would surrender, which they agreed to do, but violated their agreement, and were the first to attack General Sully's column, sent south of the Arkansas on the 7th of September.

I am of the belief that these Indians require to be soundly whipped, and the ringleaders in the present trouble hung, their ponies killed, and such destruction of their property as will make them very poor.

These Indians are now rich in houses, stock, and other property suitable for their comfort in their manner of life. From my best information the Cheyennes and Arapahoes will average from twenty (20) to two hundred (200) horses to a lodge of six (6) persons. Most of this stock has been accumulated in their periodical wars. Before wars became a source of profit to them they had to pack their dogs in moving from place to place. They are now so independent that whether we shall have our people murdered, our mail lines and lines of communication interrupted, our soldiers living in dug-outs from Hays to Denver and from the mouth of the Little Arkansas to Pueblo, and large expense periodically incurred by the government, without any adequate chastisement, seems to depend on the mere whim of the savages.

I respectfully append a list of casualties and depredations reported to me from the 10th of August to 17th of September. This report does not cover all the murders or the amount of damage done. The total number murdered on this list is sixty-four, (64.)

I am, general, very respectfully, your obedient servant,

P. H. SHERIDAN,

*Major General U. S. A.*

Lieutenant General W. T. SHERMAN,

*Commanding Military Division of the Missouri, St. Louis, Mo.*

A true copy:

J. SCHUYLER CROSBY,

*Brevet Lieutenant Colonel, A. D. C., A. A. A. G.*

*List of murders, outrages, and depredations committed by Indians from 3d August to 24th October, 1868, officially reported to headquarters department of the Missouri, in the field.*

*August 10.*—A band of 200 Cheyennes, 4 Arapahoes, and 20 Sioux, then visiting the Cheyennes in the settlements in the Saline valley, robbed several houses and ravished women till insensible. They then went to the settlements on Solomon about 12th August, and robbed houses, run off stock, ravished women, and murdered 13 men. Two of the women outraged were also shot and badly wounded. A small party then crossed to the Republican, and killed two men there.

*August 12.*—Major Douglas, commanding Fort Dodge, reports that a band of Cheyennes robbed camp of R. M. Wright, line contractor, of 3 revolvers, 2 horses, &c., and also that 129 mules and 3 horses were run off from a Mexican train at Pawnee fork, above Cimarron crossing.

*August 22.*—Thomas Moses, captain home guard, Sheridan City, says Indians run off a quantity of stock from that town at 3 p. m., and are still in sight.

*August 23.*—Stage to Cheyenne Wells had to return, and was chased by 30 Indians for four miles. Lieutenant Granville Lewis, 5th infantry, reports a party of wood-choppers on Twin Butte creek attacked by about 30 Indians on the 19th, and 3 killed and 9 cut off. At 6 o'clock next morning found the bodies of John McNeil, Andrew Pratt, and Isaac Burwick, being those killed on the 19th. All the animals had been driven off, and Mr. Jones, the contractor, chased and obliged to abandon his horse and seek concealment in a small growth of plum trees growing in a ravine, whence he made his way to camp in the darkness of night.

*August 23.*—Colonel H. C. Bankhead reports Denver stage coach attacked by Indians between Pond creek and Lake station. Coaches need guards. Also that Comstock's ranch was attacked on night of the 20th, the men living there driven into Pond creek, one being mortally wounded, who was brought into Fort Wallace, and died the night of the 21st.

*August 25.* Acting Governor Hall, of Colorado, reports a party of 200 Indians devastating southern Colorado.

*August 27.*—Colonel Bankhead reports a citizen named Woodworth killed between Fort Lyon and Sheridan by a band of Indians numbering 13.

Mr. Parker, keeper of Lake station, reports Indians killed a citizen named William McCarty, about two miles from Lake station, Colorado Territory, on 23d instant. Thirty Indians attacked the stage near Cheyenne Wells, and but for stout resistance of escort it would have been captured. A party of about 250 Indians threatened the train of Captain Butler, 5th infantry, and caused him to return to Big Springs.

Acting Governor Hall, of Colorado, again telegraphs as follows: "The Arapahoes are killing settlers, destroying ranches in all directions. For God's sake give me authority to take soldiers from Fort Reynolds. The people are arming, and will not be restrained."

Acting Governor Hall, of Colorado, reports that they are surrounded by hostile Indians, stages stopped, stock taken, and Wells, Fargo & Co., obliged to fight their way through. Is organizing volunteer companies, as the people are excited over the Indian atrocities.

Lieutenant F. H. Beecher, 3d infantry, reports the killing of Mr. William Comstock and the wounding of Mr. Grover, scouts.

*August 28.*—Mr. D. B. Powers, wood and hay contractor, reports attack by body of Indians. Three men killed, and stock driven off.

Mr. Stickney, station keeper at Kiowa Springs, travelling with one



man in a wagon, about dark, was attacked by 15 or 20 Indians, and the wagon and five mules captured. Mr. Stickney was wounded. The mules were wild and ran away. Night coming on they made their escape.

The sergeant at Lake station reports two employes driven in, and also station keeper and stock tender at Reed's Spring driven off from station, and 40 head of stock run off from Kiowa station.

*August 29.*—General Penrose, commanding Fort Lyon, reports on the 23d, at mid-day, a band of Cheyennes at Bent's Fort, 20 miles distant from Fort Lyon, drove off 15 head of horses and mules and 4 head of beef cattle. On the 24th Indians chased the stage from the east back. He also states from reports that the Denver stage line, the Smoky Hill, and between Forts Lyon and Dodge, are overrun by hostile Indians. On 22d August a train of 13 wagons, belonging to Señor Don Ramirez, was attacked by 75 or 100 Indians, 18 miles from the Arkansas river, the oxen killed, and the train destroyed, the men in charge, 21 in number, escaping to Fort Lyon in the darkness of night.

*August 31.*—Lieutenant T. A. Riley, 5th infantry, reports that Indians ran off 200 horses belonging to the Kansas Stage Company and United States Express Company, and that the stage line is interrupted.

*September 1.*—J. H. Jones, agent stage line, reports one woman and a child killed and scalped, and 30 head of stock run off by a body of Indians west of Lake station.

*September 2.*—A wagon guarded by four men of the 7th cavalry was attacked by a large body of Indians near Little Coon creek. Three of the men were badly wounded. One of their number bravely volunteered to go to Fort Dodge for aid, giving his arms to his comrades, saying, "Here boys, you want them more than I do." They were finally relieved by a party from Fort Dodge under Lieutenant Wallace, 3d infantry.

*September 4.*—Brevet Lieutenant Colonel J. G. Tilford, commanding Fort Reynolds, reports four persons killed yesterday near Colorado City. Is in great need of cavalry to pursue hostile Indians. A large body of Indians attacked the station at Hugo Springs, firing on the guards and circling round, but were repulsed.

*September 5.*—A body of Indians drove off five head of stock from the station at Hugo Springs, and then went off and burned Willow Springs. The commanding officer of Fort Reynolds urges, in consequence of Indian depredations and outrages, that the troops, and especially the cavalry at that post, be not reduced. The settlers are clamorous and excited, and ask for arms and ammunition, but he has none to give them. Believes that if the troops were withdrawn the settlements would be devastated.

*September 7.*—The Hon. Schuyler Colfax telegraphs from Denver: "Hostile Indians have been striking simultaneously at isolated settlements of Colorado for a circuit of over 200 miles. Men, women, and children have been killed and scalped daily, and hundreds of thousands of dollars of property stolen. These atrocities have been mainly near the three great lines of travel from this focal point. \* \* \* The Territory has no means to put volunteers in the field, and is literally defenceless," and suggests that a strong cavalry force be sent there, and that a supply of arms and ammunition be sent the territorial authorities.

*September 8.*—Colonel H. C. Bankhead, commanding Fort Wallace, reports that a body of Indians, 25 in number, killed and scalped two citizens one and a half miles west of Sheridan, at about 11 a. m. yesterday. Some party drove off between 70 and 80 head of mules from Clark & Co.'s train at the hay camp on Turkey creek.

Major Douglas forwards report of Lieutenant D. W. Wallingford, 7th cavalry, sent out to assist a wood train of 35 wagons, said to be attacked

at Cimarron crossing, 28 miles west, 50 men with it. Had been fighting Indians for four days. Had two men and two horses killed, and 75 head of cattle run off, and a great many mules wounded. Five and a half miles further west the remains of a train of 10 wagons that had been captured and burned were found. Nothing but the iron work remained. There were 15 persons with it, supposed to have been killed, and their bodies burned with the train, as the peculiar stench and large quantity of bones found among the debris indicated.

*September 9.*—Mr. C. W. M. Ruggles, of Sheridan, reports Indians burned a ranch and killed its occupants six miles from Sheridan, on road to Wallace. Same ranch was also burned two weeks before and had been rebuilt.

*September 10.*—General Penrose reports two men killed and one wounded of L troop, 7th cavalry, in a fight with hostile Indians.

*September 10.*—Captain Butler, commanding Fort Wallace, reports stage fired into by Indians four miles east of Lake station. On 1st September three men were killed by a band of Indians four miles east of Reed's Spring station.

*September 11.*—Clark & Co., hay contractors, telegraph that they have lost 81 head of stock, and will have to give up contract unless protected.

*September 12.*—General Nichols, travelling to Fort Reynolds, was attacked by Indians, but they drew off when they saw the arms of the guard. They then ran off the stock of Thompson and McGee, opposite Bent's Old Fort, then made a raid on a house at Point of Rocks, and ran off four head of stock.

*September 17.*—Ellis station was burned and one citizen killed. General Sully reports two killed and one wounded of his command.

*September 19.*—Colonel Bankhead reports that a body of 15 Indians fired into the Mexican ranch, four miles east of Big Timbers station.

*September 24.*—Acting Governor Hall, of Colorado, telegraphs: "Indians more numerous and bold than ever before. It is impossible to protect the families and property of the people and fight them at the same time. We now find ourselves helpless, exposed daily to assaults, accompanied by horrid butcheries."

*October 2.*—General Hazen reports attack on Fort Zarah by about 100 Indians, who were driven off. They then attacked a provision train, killed one teamster and secured the mules from four teams at daylight this morning; then attacked the ranch eight miles below, and drove away all stock.

General Sully reports attack by Indians on train between Larned and Dodge. Three citizens were killed and three wounded, and over fifty mules run off.

*October 4.*—Major Douglas reports: On Thursday Indians appeared under cover of a thick fog, wounded a Mexican at Lime Kiln, three miles off; then attacked a train about 10 miles down the road, killed two men and wounded two; destroyed stores and ran off stock.

*October 11.*—General Penrose reports 300 Indians on Purgatory, on 7th instant. They killed one Mexican and ran off a quantity of stock.

*October 12.*—Brevet Major E. A. Belger reports a party of Indians near Ellsworth City. They killed one man and several are missing.

Lieutenant Kaiser, 3d infantry, reports at 4 p. m., on 10th instant, a party of Indians surrounded and drove off six horses and two mules from citizens near Zarah.

*October 14.*—General Penrose reports a train attacked by Indians at Sand creek, on 6th instant, who ran off the cattle and captured Mrs. Blinn and her child. These Indians were led by Satanta, chief of the Kiowas.

October 20.—Colonel Royall reports attack by Indians on his camp on Prairie Dog creek, on 14th, at 4 p. m., killing one man, wounding one, and running off 26 horses.

October 21.—Colonel Bankhead reports Colonel Carpenter's command of 10th cavalry attacked by 400 Indians on 18th, on Beaver creek. Three men wounded and two horses killed.

Official:

J. SCHUYLER CROSBY,  
*Brevet Lieutenant Colonel, A. D. C., A. A. A. G.*

HEADQUARTERS DEPARTMENT OF THE MISSOURI,  
*In the Field, Fort Hays, Kansas, October 15, 1868.*

GENERAL: In reply to your letter of October 1, calling for an annual report, I regret to state that I will be compelled, in consequence of my presence in the field being necessary, to make a much more incomplete report than I had desired.

I assumed the permanent command of the department of the Missouri March 2, 1868, relieving Brevet Major General A. J. Smith, colonel 7th cavalry, temporarily in command. The department comprises the districts of New Mexico, the Indian territory, Kansas, Upper Arkansas, and the State of Missouri.

The district of New Mexico, commanded by Brevet Major General G. W. Getty, is an old and established command. It has within its limits the Navajo Nation of Indians, the Utes, and wandering bands of Apaches, together with a few small bands of semi-civilized Indians. The district has been, with the exception of an occasional depredation on the part of the Apache bands, comparatively quiet. During the past year the Navajo Indians were successfully moved, under authority of the Lieutenant General, from their temporary reservation, near Fort Sumner, to their permanent reservation, in the northwestern portion of the territory. The Utes have remained friendly, although more neglected by the government than any other Indian tribe within my command; in fact the suffering from hunger and want, in some of the smaller bands, has been very great. This district has been ably and economically administered by its distinguished commander, General Getty.

The district of the Indian territory is also an old district, having in it the posts of Forts Gibson and Arbuckle, and has been under the command of Brevet Major General Grierson, colonel 10th cavalry, since May, 1868. It had previously been commanded by Brevet Major Montgomery Bryant, captain 6th infantry. This district has in it all the semi-civilized bands of Indians, the principal tribes being the Cherokees, Chickasaws, Choctaws, and Osages. It also contains the new reservations of the Kiowas, Comanches, Arapahoes, and Cheyennes, as fixed by the treaty with the Indian peace commission of last fall. Of these bands a portion of the Kiowas and Comanches visited Fort Cobb early last spring, the point designated for their agent to reside, apparently for the purpose of obtaining their annuities and other supplies. The Indian department having failed to furnish them, they fell out with the agent, drove him off, destroyed the agency building, and came up to their old haunts on the Arkansas, threatening war if their demands were not complied with. No other events of importance occurred in this district during the past year. The district was fairly and economically managed by both its commanders. Troops were sent twice or three times to Cobb, on requisition of the agent, who appeared to be constantly in trouble.

either through his own fault or that of the Indians, most probably the latter, as they told me they did not like him, but wanted Mr. Tappan, the Indian trader at Larned, to be their agent, and that they put a halter about his neck and had him led out on the prairie, and that if they had any more bad agents they would hang them.

The district of Kansas has been under the control of Brevet Lieutenant Colonel T. C. English, major 5th infantry, since the departure of General Hoffman, about the beginning of May, 1868. It comprises within its limits the posts of Forts Riley and Leavenworth, with one company of soldiers at the Kaw crossing of the Cottonwood, not far from Council Grove, and one company on the Republican, at the Big Bend. The district has been very well commanded.

The district of the Upper Arkansas embraces nearly all the territory of Colorado, and that portion of Kansas west of a north and south line, through Fort Harker, and has been commanded by Brevet Brigadier General A. Sully, lieutenant colonel 3d infantry, since May, 1868, previous to which time it was commanded by Brevet Lieutenant Colonel T. C. English, major 5th infantry. This district was by far the most difficult to manage, and the most pregnant with events during this year. It had within its limits the territory of the Cheyennes, Arapahoes, Kiowas, and Comanches, which they had agreed to give up in their treaty with the peace commission. The two great commercial highways to Colorado and New Mexico, and the lateral roads connecting them, from Harker to Larned, Hays to Dodge, and Wallace to Lyon, pass through the district, also the western line of frontier settlements in Kansas, and the eastern line of settlements in Colorado, which, from their scattered and helpless condition, were much exposed, and invited the cupidity of the savages. It is likewise the hunting grounds of Sioux, northern Arapahoes, and northern Cheyennes, and it was the permanent residence of the first-named tribe. These Indians, the Kiowas, Comanches, Arapahoes, and Cheyennes, were able to put into the field about 6,000 well-mounted and well-armed warriors, with from two to ten spare horses each. To guard the lines of the Union Pacific railroad, and the Denver stage road, and other interests in this district, there had been established in 1867 the posts of Forts Harker, Hays, and Wallace, and the outpost of Cedar Point; and to guard the line of the Arkansas to New Mexico, there were the posts of Forts Larned, Dodge, Lyon, and Reynolds, and the outposts of Zarah and Camp Beecher, at the mouth of the Little Arkansas. All these posts were, during the summer, garrisoned by eight companies of the 10th cavalry, 7th cavalry, 5th and 3d infantry, and four companies of the 38th infantry, all very much reduced in numbers, which gave me a force of about 1,200 cavalry and about 1,400 infantry.

After distributing this force for the protection of the railroad and the different posts, and along the line of settlements, I had available for the field at the commencement of hostilities only 11 companies of cavalry, seven of the 7th, and four of the 10th cavalry, in all about 800 men.

(For particulars touching the outbreak, I respectfully refer you to my report of September 26, 1868, appended hereto.)

With this small force for offensive operations it was impossible to accomplish a great deal in so extensive a country. The Indian mounted on his hardy pony, and familiar with the country, was about as hard to find, so long as the grass lasted, as the Alabama on the ocean.

The six companies of the 7th cavalry, joining West's company of same regiment, moved to Fort Dodge, while the four companies of the 10th cavalry moved from the Sabine to the crossing of Walnut creek, on the road

from Fort Hays to Fort Dodge, and there awaited information of which direction the families and villages of the Indians had moved; while Brevet Colonel G. A. Forsyth with a party of 50 scouts moved north of the railroad to Beaver creek, to watch the direction of the trails, all of which he reported as leading to the south of the Arkansas.

On the 7th of September, General Sully, whose command had been increased by a company of the 7th cavalry from Lyon, and Brevet Major Page's company 3d infantry, in all between 500 and 600 men, crossed the Arkansas at Dodge to strike the villages of the Indians reported on the Cimarron, about 40 miles distant. On arriving at the Cimarron it was found that the villages had moved, and the trail was followed with more or less skirmishing until the crossing of the North Fork of the Canadian or Middle river was reached, when the Indians made a brisk attack, but were driven off; after which the command moved north towards Fort Dodge, and went into camp on Chalk Bluffs creek to await a further escort of infantry for the wagon train. The amount of infantry with it not being considered sufficient to guard it successfully, Captain Hale's company from the Solomon, Captain Asbury's from Larned, and Brevet Major Beebe's company of the 38th were sent; but so much time was consumed in getting these companies from remote points, that the rations for the expedition at Dodge and with the command were eaten up, and not much has since been accomplished by this column.

The Indians lost in the series of skirmishes in this movement south of the Arkansas from 17 to 22 killed, and an unknown number wounded; the troops lost 2 killed and 1 wounded.

While General Sully was operating south of the Arkansas, Captain Graham with his company of the 10th cavalry was sent out from Wallace to give as much protection as he could along the stage road to Denver.

On the 15th of September he was attacked on Big Sandy creek by about 100 Indians, defeated them, killed 11 and wounded an unknown number. Meantime, Brevet Colonel G. A. Forsyth, with his company of scouts, took the trail of a party of Indians who had committed depredations near Sheridan City, and followed it to the Arikaree Fork of the Republican, where he was attacked by about 700 Indians, and after a very gallant fight on the 17th of September repulsed the savages, inflicting a loss on them of 35 killed and many wounded. In the engagement Lieutenant F. H. Beecher was killed, Forsyth twice wounded, and 4 of his scouts killed and 15 wounded, the command living on horseflesh for a period of eight days. The gallantry displayed by this brave little command is worthy of the highest commendation, but was only in keeping with the character of the two gallant officers in command of it—Brevet Colonel G. A. Forsyth and Lieutenant Frederick H. Beecher. While the command was beleaguered two scouts stole through the Indian lines and brought word to Fort Wallace of its perilous position, and Brevet Colonel H. C. Bankhead, captain 5th infantry, commanding Fort Wallace, with the most commendable energy started to its relief with 100 men from that point, and Brevet Lieutenant Colonel Carpenter's company of the 10th cavalry, then *en marche* protecting the stage line to Denver, reaching Forsyth on the morning of the 25th of September.

About the same time Brevet Brigadier General W. H. Penrose, from Fort Lyon, Colorado Territory, with a *L'* troops 7th cavalry, pursued a party of Indians, who were driving off stock from the settlers, killing four.

While these operations were in progress the governor of Kansas, knowing how hard we were pressed for troops, proposed to relieve the seven companies I had on the eastern frontier settlements of Kansas.

if arms, ammunition, and rations could be issued by the government for 500 militia from the State. This I gladly assented to, and these conditions were carried out by direction of the Lieutenant General.

As soon as the agreement was consummated, I drew the two companies of 7th cavalry at Harker and proceeded to Larned to try to induce the Kiowas and Comanches to return to their reservations at Fort Cobb. I offered to furnish them rations to that post, and Brevet Major General Hazen, sent by General Sherman to conduct the Indians to their reservations, agreed to feed them during the winter, and issue their annuities. This proposition was accepted, but only as a decoy to get their families out of the proximity of the post, and then openly to become hostile. There is no doubt in my mind of the young men having been so previously. Previous to this interview with the Kiowas, and before General Sully moved south of the Arkansas, in order to keep a portion of the Arapahoes, who were not known to be hostile, out of the war, he invited their principal chiefs to visit me at Fort Dodge. I there offered to provide for them during the winter, which proposition they accepted, but only as a cover to get their stock and families out of the reach of the troops, and when General Sully moved south they were the first to attack him. I mention this circumstance to show that we exhausted every alternative to be friendly with Indians not known to be fully engaged in the strife, as we had exhausted every means during the summer to preserve the peace with all the tribes.

During the period embraced in the foregoing events, the Lieutenant General ordered Brevet Major General C. C. Augur, commanding department of the Platte, to send from Fort Sedgwick to the forks of the Republican river six companies of the 27th infantry and two companies of the 2d cavalry, under command of Brevet Brigadier General L. P. Bradley, lieutenant colonel 27th infantry, and at the same time notified me that the seven companies of the 5th cavalry would report to me at Fort Harker.

General Bradley arrived on the Republican on the 25th September, in time to be of material assistance to Colonel Forsyth by the approach of his command, since which time he has been operating east and west on the head-waters of the Republican, but his command being principally infantry, it cannot do much more than cover the country.

After it became fully known that the Kiowas and Comanches were engaged in hostilities, we had against us the full number of 6,000 warriors, well mounted and armed, and I deemed it necessary to say our force was too small, and orders were received to call on the governor of Kansas for one regiment of cavalry, 1,200 strong. This regiment will soon be organized and ready for the field.

On September 29th, seven companies of the 5th cavalry arrived at Fort Harker. They were at once equipped and sent north of the railroad from here, on Beaver creek, under command of Brevet Colonel W. B. Royall, major 5th cavalry, but as yet have not succeeded in finding the Indians.

On the 12th October, General Sully ordered Custer's command from Chalk Bluff creek to scour the country on Medicine Lodge creek and the Big Bend of the Arkansas, pending the accumulation of supplies at Dodge for an expedition to the Canadian river and Wichita mountains. Only small parties of Indians who had been depredating on the line from Harker to Dodge were found, and drew south to watch the movements of Custer. Two Indians were reported as probably killed in some small dashes made by them at sundry times, but no families or villages were found.

On October 5th, General Bradley notified me that the trail of the

Indians Colonel Royall was sent after had crossed Beaver creek in a southwesterly direction. Brevet Major General E. A. Carr, major 5th cavalry, who arrived soon after the detachment of his regiment had taken the field, was at once ordered to join his command and take the trail reported by General Bradley, with directions to Brevet Colonel Bankhead, at Fort Wallace, to furnish him with Brevet Lieutenant Colonel Carpenter's and Captain Graham's companies of the 10th cavalry, numbering about 120 men, as an escort. General Carr, while carrying out these instructions, was, with his party, attacked on the 18th instant by about 400 of these Indians on Beaver creek, and, after an engagement of six hours, repulsed the Indians, killing nine and wounding an unknown number. Three of the escort were wounded.

The above gives you an account of the principal movements of troops and principal combats since the 25th August; but in addition there were a number of movements from posts, especially from Forts Wallace, Dodge, Lyon, and Hays, in which some Indians were killed. In all contests and skirmishes which have taken place up to this time, about 92 Indians have been killed and an unknown number wounded.

No villages have as yet been destroyed, and no large amount of stock captured. The above number of Indians killed, I think, can be safely relied upon as correct.

The number of soldiers killed in this period has been 6 and of scouts in the government service 5, of soldiers wounded 10, and of scouts 16.

The number of citizens killed and officially reported is as set forth in the accompanying list of "Indian outrages and murders," and will number 79 killed and 9 wounded.

In nearly all cases the most horrible and savage butcheries were perpetrated on the bodies of the victims.

The amount of stock run off in Colorado and Kansas, and from the large freight trains to New Mexico and Colorado, is very large, probably in excess of 5,000 head. The settlements have been driven in, and ranches abandoned, making the damage done to all interests very large. In fact, unless the Indians are crushed out, and made to obey the authority of the government, there will be a total paralysis of some of the best interests of this section of country. All confidence is destroyed.

The people have felt some degree of security from the assurances of the peace commission; but many of them have met a horrible fate in consequence. No peace which will give confidence can be hereafter made by paying "tribute" to these savage bands of cruel marauders.

I am exceedingly glad that the peace commission resolved at their late meeting that Indian tribes should not be dealt with as independent nations. They are wards of the government, and should be made to respect the laws and the lives and property of citizens.

The Indian history of this country for the last 300 years shows that of all the great nations of Indians only the remnants have been saved. The same fate awaits those now hostile, and the best way for the government is to now make them poor by the destruction of their stock, and then settle them on the lands allotted to them.

The motive of the peace commission was humane, but there was an error of judgment in making peace with these Indians last fall. They should have been punished and made to give up the plunder captured, and which they now hold, and, after properly submitting to the military, and disgorging their plunder, they could have been turned over to the civil agents. This error has given many more victims to savage ferocity.

The present system of dealing with the Indians, I think, is an error. There are too many fingers in the pie, too many ends to be subserved.

and too much money to be made; and it is the interest of the nation, and of humanity, to put an end to this inhuman farce. The peace commission, the Indian department, the military, and the Indians make a "baulky team." The public treasury is depleted, and innocent people murdered in the quadrangular management, in which the public treasury and the unarmed settlers are the greatest sufferers.

There should be only one head in the government of Indians. Now they look to the peace commission, then to the Indian department, both of which are expensive institutions, without any system or adequate machinery to make good their promises. Then the Indian falls back on the military, which is the only reliable resort in case he becomes pinched from hunger.

I respectfully recommend, in view of what I have seen since I came in command of this department, and from a long experience with Indians heretofore, that the Indian bureau be transferred to the War Department, and that the Lieutenant General, as the common superior, have sole and entire charge of the Indians; that each department commander and the officers under him have the sole and entire charge of the Indians in his department. There will then be no "baulky team," no additional expense in salaries, and a just accountability in the disbursement of the Indian appropriations. The machinery necessary to support the army can, without additional expense, supply the Indians.

Our success so far in the number of Indians killed is fully as great as could be expected, and arrangements are now being made for active operations against their villages and stock.

As soon as the failure of the grass and the cold weather forces the scattered bands to come together to winter in the milder latitudes south of the Arkansas, a movement of troops will then take place from Bascom, Lyon, Dodge, and Arbuckle, which I hope will be successful in gaining a permanent peace.

I have the honor to be, General, very respectfully your obedient servant,

P. H. SHERIDAN,

*Major General United States Army.*

Lieutenant General W. T. SIEMERMAN,

*Commanding Military Division of the Missouri, St. Louis, Mo.*

#### REPORT OF BREVET MAJOR GENERAL C. C. AUGUR.

HEADQUARTERS DEPARTMENT OF THE PLATTE,

*Omaha, October 14, 1868.*

GENERAL: I have the honor to submit the following report of military operations within this department for the past year.

There has been no change in the number or character of the troops within the department during this time except the discharge of the Pawnee scouts in November last, and the re-enlistment of a portion of them again this spring.

No recruits except for cavalry have been received by any of the regiments, and the number of discharges has been very great.

The appended table, marked A<sup>2</sup>, will show the extent and character of the losses. The average number of men in the infantry companies is about 65. One hundred and ninety-two recruits have recently been received by the 2d regiment of cavalry, and they were assigned to the six companies now operating in and about "Republican." Additional recruits have been applied for to fill this regiment.



The arrangements for wintering the troops, indicated in my last report, were carried out.

Appended to this report, marked A, is a list of the principal Indian depredations committed since October, 1867. It will be seen that in the Powder river country they seized every possible opportunity to annoy trains and mail parties, and drive off stock. This continued until stopped by the severity of the weather, to be renewed again early in this year.

These latter depredations, commencing so early and extending from Plum creek to Fort Fetterman, a distance of near 400 miles, caused an almost universal apprehension of a general Indian war along our frontier and the line of the Union Pacific railroad; but being present at the Indian peace commission at its meeting at Fort Laramie in April, I became satisfied from reports of chiefs present that these depredations were the acts of small parties of the young men of the tribes, and that a general war with the northern bands was not at that time imminent.

It became necessary, however, to take precaution to secure the railroad, and allay if possible all fears of travellers thereon. I had detachments of troops placed at every railroad station between Fort Kearney and Cheyenne, and companies of infantry on Rock creek and Medicine Bow, between Fort Sanders and Fort Steele.

Two companies of Pawnee scouts of 50 men each were organized to patrol along the road between Wood river and North Platte, and the disposable cavalry were also used in scouting along the road as far as Fort Steele.

No attempt at interference with the railroad has occurred since these precautions were adopted. This arrangement of troops along the road is still continued, and will be until it becomes necessary to bring the troops into winter quarters, after which no trouble is anticipated.

Early in June small parties of Indians appeared too on the stage road near Sulphur Springs, and a company of infantry was sent there, and remained until the Indians were followed north of the Sweetwater. The rapid extension of the railroad toward Salt Lake City rendered it necessary to increase the number of troops in that direction.

I visited Fort Bridger and Camp Douglas, and found sufficient barracks and quarters—very much dilapidated and illy arranged—to accommodate, when put in condition, one regiment. The necessary repairs were ordered, and the 36th infantry sent to occupy them—five companies at each post.

Returning from Fort Bridger I visited the Sweetwater mines, whose population have frequently asked for troops to protect them from the incursions of the northern Indians.

The location of the Shoshone reservation on the Wind river, and its occupation by these friendly Indians, would of itself be ample protection. But as it may be some years before this occupation is effected, it will probably be necessary another year to keep during the summer two or three companies in that vicinity. This I propose to do.

The governor of Nebraska, early in the spring, applied to me personally for protection of the settlement on Little Blue. The previous summer the Indians committed many depredations upon them, killing a number of their inhabitants, and, in fact, causing their abandonment. The settlers are now anxious to return, could they be assured of protection. I ordered a company of cavalry to encamp and scout along this frontier. One has remained there during the entire season, and no attempt has been made by the Indians thus far to interfere with the inhabitants.

The abandonment of Forts C. F. Smith, Phil. Kearney, and Reno,

ordered early in the spring by the General-in-chief, was commenced as soon as the contractor could furnish the necessary transportation, and was completed in August; the 18th infantry, occupying Forts D. A. Russell and Sedgwick, and points on the railroad, relieved the 30th infantry, which occupied Fort Sanders, and commenced the new post Fort Fred. Steele. Four companies of the 4th infantry were sent to Fort Fetterman, and the 27th brought to the line of the railroad, where part of it now is, the headquarters and six companies being on the Republican.

The abandonment of the Powder river country placed one regiment and a half without quarters. The necessary establishment of Fort Fred. Steele made place for the half regiment, and it became a question, economically, where quarters for the winter should be provided for the remaining regiment. It was found to be much cheaper to build the necessary temporary quarters at Omaha, and bring the troops here for the winter, than to build in the interior and transport supplies to them. This arrangement has been sanctioned by the War Department, and the temporary quarters are now being constructed. In connection with this abandonment of the Powder river country, it may be remarked here that the effect upon the Indians anticipated has been fully realized. They have regarded it as an evidence of weakness on our part, and General Sheridan reports that the recent outbreak in his department was urged by the northern bands with a view of compelling the abandonment by the whites of the Smoky Hill country, as they had compelled as they fancied, the abandonment of their country in the north.

The efforts made to cultivate gardens at the different posts, in compliance with orders from the General-in-chief, have been but partially successful in this department. This failure is due to a variety of causes. Indian depredations compelled the sending of troops into the field at the very time the gardens should have been made. Many changes of stations took place also about the same time. The grasshoppers were very destructive. At Forts Kearney, McPherson, Bridger, and Camp Douglas they entirely destroyed the gardens, though a subsequent planting at Bridger and Camp Douglas was more successful.

The latter post grew 1,700 bushels of potatoes and 35 bushels peas. Everything else destroyed by grasshoppers.

Fifteen thousand pounds potatoes were grown at Fort Sanders, 300 pounds each of turnips and beets, and many other vegetables. The garden at this post has been the most successful one in the department.

It is very certain that, as the posts and their garrisons become more permanent, good gardens can be made, and ample for the use of officers and men, unless destroyed by insects.

The necessity for the establishment of a small arsenal in this department, capable of making necessary repairs, was indicated in my last report. A bill to effect this was reported in the House of Representatives at its last session, but failed to become a law. I respectfully request that renewed efforts be made at the approaching session of Congress to have such an arsenal authorized.

Appended to this report, and marked B, is a list of ordnance and ordnance stores now in this department useless for want of repairs, and which to transport to any arsenal for repairs, and back to their present location, would cost about their value.

This arsenal should also have storage capacity sufficient for all arms and munitions likely to become necessary for the troops and States on the line of the Pacific railroad, between the Missouri and California. In the appended table, marked A, is a statement of the number of officers

and enlisted men tried by courts-martial in this department during the past year.

I regret to say it is large, but still more that it is a present necessity. It is impossible always to avoid appointing in the army undeserving young men. Their conduct soon renders it necessary for them to leave the service or suffer punishment by sentence of court-martial. The majority of the captains and subalterns are most excellent and capable officers, but they are comparatively young in the service and in years, and have not always the tact and patience and coolness necessary to manage enlisted men, without resort to courts-martial. The nature of the service on the plains—the scattering of regiments by companies and detachments during the whole summer, and many of these commanded by inexperienced subalterns—is most unfavorable both to officers and men. From these different causes arise the necessity for so many courts.

I am happy to report, however, that during the past year there has been in this department a marked improvement in all that pertains to the discipline and *morale* of both officers and men.

I have visited every post in the department during this summer, except Fort Kearney, and speak from actual observation of the generally good condition of the troops therein.

The two companies of Pawnee scouts, under Major North, have rendered efficient service during the summer. They will be discharged about the first of December, unless some emergency not anticipated intervenes.

I have to express my entire satisfaction with the manner in which the chiefs of the various staff departments at my headquarters have performed their varied and important duties. My personal staff are entitled to the same commendation.

The necessity for any discussion of the Indian question, so intimately connected with the duties of the commander of this department, has been obviated by the results of the recent deliberations of the Indian peace commission, and their recommendations thereon. But even if the recommendations of the commission receive the sanction of Congress, I do not anticipate an immediate settlement of all difficulties with Indians. The evil results of a mischievous system, so long in operation, cannot be remedied in a day or year. The Indian is unrestrained now by any consideration for the white man. He neither loves nor fears him. Before he can be controlled he must be made to do one or the other. I believe if the management of everything pertaining to his affairs is intrusted to the army that in a few years he will do both.

Appended is a statement of the scouting parties specially ordered during the year, and also a statement of the trains passing the posts.

I also append a sketch giving the location of Fort Fred. Steele, and its relative position to Forts D. A. Russell, Laramie, and Fetterman.

I am, general, very respectfully, your obedient servant,

C. C. AUGUR,

*Brevet Major General, Commanding Department.*

Brevet Major General W. A. NICHOLS,

*Assistant Adjutant General United States Army,*

*Headq'rs Mil. Division of the Missouri, St. Louis, Mo.*

*Statement of campaigns, expeditions, and scouts made in the Department of the Platte during the year ending September 30, 1868.*

HEADQUARTERS DEPARTMENT OF THE PLATTE,  
Omaha, Nebraska, October 17, 1868.

A party was sent out from Fort McPherson, Nebraska, commanded by Captain Spaulding, composed of troops of the 2d cavalry. Officers, 2; enlisted men, 45; citizen, 1. Departed April 22, 1868, returned April 24, 1868. Passed through Big Medicine. Travelled a distance of 108 miles. One Indian wounded. Property captured, one Indian pony. Sent out to protect citizens and property in the vicinity of post, &c.

A party was sent out from Fort McPherson, Nebraska, commanded by Captain Spaulding, composed of troops of the 2d cavalry. Officers, 2; enlisted men, 48. Departed May 20, 1868, returned June 2, 1868. Passed through Grand island. Travelled a distance of 237 miles. No results. Sent out to patrol the line of railroad between North Platte and Grand island.

A party was sent out from Fort McPherson, Nebraska, commanded by Lieutenant J. M. Wheelan, composed of troops of the 2d cavalry. Officer, 1; enlisted men, 53. Departed May 2, 1868, returned May 15, 1868. Passed through Grand island. Travelled a distance of 225 miles. No results. Sent out to patrol the line of railroad between North Platte and Grand island.

A party was sent out from Fort McPherson, Nebraska, commanded by Lieutenant J. M. Wheelan, composed of troops of the 2d cavalry. Officer, 1; enlisted men, 48. Departed June 6, 1868, returned June 20, 1868. Passed through Fort Kearney. Travelled a distance of 190 miles. No results. Sent out to scout on the south side of Platte river as far as Fort Kearney.

A party was sent out from Fort McPherson, Nebraska, commanded by Captain L. Thompson, composed of troops of the 2d cavalry. Officers, 2; enlisted men, 67. Departed May 14, 1868, returned July 25, 1868. Passed through Fort Kearney, along the Little Blue. Travelled a distance of 210 miles. No results.

A party was sent out from Fort McPherson, Nebraska, commanded by Second Lieutenant Hamilton, composed of troops of the 2d cavalry. Officer, 1; enlisted men, 23. Departed July 2, 1868, returned July 14, 1868. Passed through Fort Kearney and back. Travelled a distance of 220 miles. No results.

A party was sent out from Fort McPherson, Nebraska, commanded by Second Lieutenant O'Brien, composed of troops of the 2d cavalry. Officer, 1; enlisted men, 23. Departed July 14, 1868, returned September 1, 1868. Passed through Blue river, Rose creek, along the Platte valley. Travelled a distance of 415 miles. No results.

A party was sent out from Fort McPherson, Nebraska, commanded by 1st Lieutenant L. M. Wheelan, composed of troops of the 2d cavalry. Officer, 1; enlisted men, 43. Departed August 2, 1868, returned September 15, 1868. Passed through Fort Kearney, Blue river, Rose creek, along the Platte valley. Travelled a distance of 500 miles. No results.

A party was sent out from Fort McPherson, Nebraska, commanded by Captain Spaulding, composed of troops of the 2d cavalry. Officers, 2; enlisted men, 36. Departed August 25, 1868, not returned. Passed Blue river, Rose creek, along the Platte valley to Big Sandy.

A party was sent out from Fort McPherson, Nebraska, commanded by Captain Noyes, composed of troops of the 2d cavalry. Officers, 2;

enlisted men, 41. Departed September 4, 1868, returned September 6, 1868. Passed through to a point 50 miles west of the post. Travelled a distance of 100 miles. No results.

A party was sent out from Fort McPherson, Nebraska, commanded by 1st Lieutenant L. J. Peale, composed of troops of the 2d cavalry. Officers, 2; enlisted men, 41. Departed September 8, 1868, returned September 12, 1868. Passed through Platte valley as far westward as Alkali station. Travelled a distance of 120 miles. No results.

A party was sent out from Fort McPherson, Nebraska, commanded by Captain Noyes, composed of troops of the 2d cavalry. Officers, 2; enlisted men, 35. Departed September 15, 1868, returned September 19, 1868. Passed through to a point 55 miles west of the post. Travelled a distance of 110 miles. No results.

A party was sent out from Fort McPherson, Nebraska, commanded by Captain Mizner, composed of troops of the 2d cavalry. Officers, 4; enlisted men, 93; Indians, 17. Departed September 29, not returned. Passed through to General Brady's camp on the Republican river.

A party was sent out from Fort Sedgwick, Colorado Territory, commanded by Captain Mix, composed of troops of the 2d cavalry. Officers, 2; enlisted men, 50. Departed April 9, 1868, returned April 11, 1868. Passed through Ash Hollow. Travelled a distance of 200 miles. No results. Sent out to recapture stock stolen by unknown Indians. Scouted as far as Ash Hollow and in its vicinity. Followed no particular trail.

A party was sent out from Fort Sedgwick, Colorado Territory, composed of troops of the 2d cavalry. Enlisted men, 10. Departed April 9, 1868, returned April 11, 1868. Passed through Sidney station. Travelled a distance of 60 miles. No results. Sent out to recapture stock stolen by unknown Indians. Went along line of railroad as far as Sidney station and vicinity.

A party was sent out from Fort Sedgwick, Colorado Territory, commanded by Lieutenant Norwood, composed of troops of the 2d cavalry. Officers, 2; enlisted men, 37. Departed April 30, 1868, returned May 4, 1868. Passed through Ash Hollow. Travelled a distance of 200 miles. No results. Sent out to recapture stock stolen by Indians. Scouted as far as Ash Hollow and in its vicinity. Followed an unbroken country.

A party was sent out from Fort Sedgwick, Colorado Territory, commanded by Captain Mix, composed of troops of the 2d cavalry. Officers, 2; enlisted men, 42. Departed May 7, 1868, returned May 11, 1868. Passed through Sidney station. Travelled a distance of 80 miles. No results. Sent out to recapture stock stolen by supposed Indians. Scouted in vicinity of Sidney station, taking an unbroken country.

A party was sent out from Fort Sedgwick, Colorado Territory, commanded by Captain Mix, composed of troops of the 2d cavalry. Officers, 2; enlisted men, 34. Departed May 19, 1868, returned May 26, 1868. Passed through Rush creek. Travelled a distance of 200 miles. No results. Sent out to recapture stock stolen by Indians. Scouted in the vicinity of Rush creek, between the north and south forks of the Platte river.

A party was sent out from Fort Sedgwick, Colorado Territory, commanded by Captain Hughes, composed of troops of the 18th infantry. Officer, 1; enlisted men, 45; citizens, 5. Departed September 22, 1868, returned September 23, 1868. Passed through bluffs and table-land south of Fort Sedgwick, Colorado Territory. No beaten trail. Travelled a dis-

tance of 73 miles. Beef contractor reported part of his herd run off near the post. No Indian signs discovered, or traces of the lost cattle.

Fort Morgan, Colorado Territory, was abandoned May 18, 1868, pursuant to General Orders No. 13, department of the Platte, April 22, 1868.

A party was sent out from Fort D. A. Russell, Wyoming Territory, commanded by Lieutenant McAdams, composed of troops of the 2d cavalry. Officer, 1; enlisted men, 30. Departed August 27, 1868, returned August 27, 1868. Passed through Wyoming Territory. Travelled 40 miles. Operated against the Sioux, Cheyennes, and Arapahoes. No results. Made upon complaints of citizens of Cheyenne City.

A party was sent out from Fort D. A. Russell, Wyoming Territory, commanded by Lieutenant Doane, composed of troops of the 2d cavalry. Officer, 1; enlisted men, 25. Departed August 27, 1868, returned August 30, 1868. Passed through Wyoming Territory. Travelled a distance of 60 miles. Operated against the Sioux, Cheyennes, and Arapahoes. No results. Made upon complaint of citizens at Cheyenne City.

A party was sent out from Fort D. A. Russell, Wyoming Territory, commanded by Major Brisbin, composed of troops of the 2d cavalry. Officers, 4; enlisted men, 102. Departed September 2, 1868, returned September 6, 1868. Passed through Wyoming Territory. Travelled a distance of 96 miles. Operated against the Sioux, Cheyennes, and Arapahoes. No results. Made upon notice of Governor Hunt, stating that Indians were moving from Latham towards Laramie with a herd of horses, &c.

A party was sent out from Fort Sanders, Wyoming Territory, commanded by 1st Lieutenant Harman, 36th infantry, composed of troops of the 2d cavalry. Officer, 1; enlisted men, 30. Departed August 13, 1868, returned August 22, 1868. Passed through Wyoming Territory. Travelled a distance of 291 miles. Operated against the Sioux. No results. To destroy all hostile Indians found, and give protection to all citizens and their property in the section passed through.

A party was sent out from Fort Sanders, Wyoming Territory, commanded by 2d Lieutenant Pettit, composed of troops of the 2d cavalry. Officer, 1; enlisted men, 35. Departed August 28, 1868, returned September 10, 1868. Passed through Wyoming Territory. Travelled a distance of 272 miles. Operated against the Sioux. No results. To scout in the vicinity of Rock creek, Laramie Peak, to base of Black Hills, La Prele creek, and Fetterman road, and destroy all hostile Indians.

A party was sent out from Fort Sanders, Wyoming Territory, commanded by 1st Lieutenant Norwood, composed of troops of the 2d cavalry. Officer, 1; enlisted men, 24. Departed September 16, 1868, returned September 20, 1868. Passed through Wyoming Territory. Travelled a distance of 95 miles. Operated against the Sioux. No results. To scout after, overtake and destroy all hostile Indians he may find.

A party was sent out from Fort Sanders, Wyoming Territory, commanded by 1st Lieutenant Norwood, composed of troops of the 2d cavalry. Officer, 1; enlisted men, 10; citizen, 1. Departed September 28, 1868, returned September 28, 1868. Passed through Wyoming Territory. Travelled a distance of 65 miles. Operated against horse thieves, (white men.) Prisoners, two. Property captured, 11 mules, marked U. S. The prisoners captured were horse thieves. They were both wounded, and wounded two cavalry horses in their resistance.

A party was sent out from Fort Sanders, Wyoming Territory, commanded by 1st Lieutenant Andrews, composed of troops of the 39th infantry. Officers, 2; enlisted men, 28. Departed September 18, 1868,

returned September 30, 1868. Passed through Wyoming Territory. Travelled a distance of 68 miles. Operated against the Sioux. No results. To protect citizens, and destroy all hostile Indians found.

A party was sent out from Fort Laramie, Dakota Territory, commanded by 1st Lieutenant S. H. Norton, composed of troops of the 2d cavalry. Officer, 1; enlisted men, 20. Departed March 1, 1868, returned March 5, 1868. Travelled a distance of 80 miles. Up the Platte to Horseshoe; thence back to post by the Laramie. Sent out to investigate the alleged killing of a Mexican by Indians, and to learn who were committing depredations.

A party was sent out from Fort Laramie, Dakota Territory, commanded by Captain T. B. Dewees, composed of troops of the 2d cavalry. Officer, 1; enlisted men, 47. Departed March 22, 1868, returned March 23, 1868. Travelled a distance of 60 miles. Road to Fort Fetterman as far as Twin Springs and return. Sent out to succor any men attacked by Indians, and learn the cause of depredations said to have been committed by Indians on that road. Found ranches of Horseshoe and Twin Springs burned by Indians, and buried three bodies of white men killed by them.

A party was sent out from Fort Laramie, Dakota Territory, commanded by Captain Collier, 4th infantry, composed of troops of the 2d cavalry and 4th infantry. Officers, 3; enlisted men, 103. Departed August 31, 1868, returned September 5, 1868. Passed up the Laramie river to Black Hills, across the river on to Laramie plains. Travelled a distance of 78 miles. No results. Expedition ordered in obedience to telegram from Major General Augur, commanding department Platte, dated August 31, 1868.

A party was sent out from Fort Reno, Dakota Territory, commanded by Captain McCleery, composed of troops of the 18th infantry. Officer, 1; enlisted men, 40. Departed December 2, 1867, returned December 4, 1867. Travelled a distance of 30 miles. Reconnoissance up Powder river for the purpose of ascertaining the nature of the country, and burning off old grass for meadow next year.

A party was sent out from Fort Phil. Kearney, Dakota Territory, commanded by Brevet Major D. S. Gordon, composed of troops of the 2d cavalry. Officers, 2; enlisted men, 62. Departed November 4, 1867, returned November 21, 1867. Passed along the base of the Big Horn mountains to Fort C. F. Smith. Travelled a distance of 180 miles. Tribe operated against not known. Sent to the relief of a train *en route* to Fort C. F. Smith, Montana Territory.

A party was sent out from Fort Phil. Kearney, Dakota Territory, commanded by Brevet Major D. S. Gordon, composed of troops of the 2d cavalry. Officers, 2; enlisted men, 57. Departed December 3, 1867, returned December 6, 1867. Passed southeast from Fort Phil. Kearney, towards Reno. Travelled a distance of 77 miles.

A party was sent out from Fort C. F. Smith, Montana Territory, commanded by Lieutenant R. N. Fenton, composed of troops of the 27th infantry. Officer, 1; enlisted men, 30; citizens, three. Departed September 29, 1867, returned October 4, 1867. Passed through a portion of Montana and Dakota Territories, along the Boyman road. Travelled a distance of 120 miles. Sent out for the protection of train of Mr. John Pritchard, government contractor, *en route* from Gallatin valley to this post, and threatened by a party of disbanded Montana militia under one Captain Hughes.

A party was sent out from Fort C. F. Smith, Montana Territory, commanded by Lieutenant E. R. P. Shurley, composed of troops of the 27th infantry. Officer, 1; enlisted men, 40; citizens, 5. Departed October 28,

1867, returned November 12, 1867. Passed between Forts C. F. Smith and Phil. Kearney. Travelled a distance of 180 miles. Operated against the Sioux Indians. Enlisted men killed, 3; officer wounded, 1; enlisted men wounded, 2; citizens wounded, 1.

A party was sent out from Fort Fred. Steele, Wyoming Territory, commanded by Captain Robinson, composed of troops of the 2d cavalry. Officer, 1; enlisted men, 31. Departed August 27, 1868, returned September 15, 1868. Travelled a distance of 442 miles. Medicine Bow, La Prele cañon, Deer Creek, Fort Fetterman, Fort Laramie.

A party was sent out from Fort Reno, Dakota Territory, but was abandoned August 18, 1868, pursuant to Special Orders No. 80, department of the Platte, May 19, 1868.

A party was sent out from Fort Phil. Kearney, Dakota Territory, but was abandoned July 31, 1868, pursuant to Special Order No. 80, department of the Platte, May 19, 1868.

A party was sent out from Fort C. F. Smith, Montana Territory, but was abandoned July 29, 1868, pursuant to Special Order No. 80, department of the Platte, May 19, 1868.

The following remarks appear on the statement of campaigns, expeditions, and scouts, made from Fort C. F. Smith, Montana Territory, during the second quarter of 1868, viz:

April 15, 1868, a party of Indians made a dash for the herd of Mr. Tewkesbury, but were driven off by company D, 27th infantry, with loss of one Indian killed.

April 29, 1868, a party of Indians tried to capture the mounted pickets but failed, being driven off by companies H, D, and E, 27th infantry.

May 5, 1868, a party of Indians charged by the fort without doing any damage, being promptly met and driven off by companies G, I, and H, 27th infantry.

To the *Brevet Major General United States Army, Commanding.*

I certify that the above statement is correct.

GEORGE D. RUGGLES,

*Brevet Brigadier General United States Army, A. A. G.*

A. O.—Table of discharges, desertions, trials by courts-martial, and deaths occurring in the department of the Platte for the year ending September 30, 1868.

Regiments.	Tried by court martial.		Discharges.				Deaths.		Resigned.	Deserted.
	Officers.	Enlisted men.	Expiration of service.	Disability.	By order.	Sentence G. C. M.	Officers.	Enlisted men.		
General staff, U. S. A .....	1	1	—	—	3	—	—	—	1	—
Light battery C, 3d artillery .....	1	25	6	2	1	—	—	3	1	61
2d regiment of cavalry .....	—	121	287	16	9	21	3	8	3	199
4th regiment of infantry .....	—	171	156	18	11	20	—	13	2	105
18th regiment of infantry .....	1	111	109	34	6	12	1	6	1	73
27th regiment of infantry .....	—	79	84	40	4	2	1	3	—	69
30th regiment of infantry .....	1	85	3	39	15	8	—	6	3	135
36th regiment of infantry .....	2	169	5	41	16	13	—	12	1	167
Total .....	6	762	650	181	65	76	5	51	12	809

GEORGE D. RUGGLES, A. A. G.

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## A.

*October 1, 1867.*—Brevet Major General John E. Smith reports from Fort Phil. Kearney that Indians made a dash at the mules with the hay party, and succeeded in driving off 14 mules and 7 horses.

Also, that on the 24th instant Indians killed and scalped a herder belonging to a train in camp at Fort Reno.

*October 12.*—General Smith states that the Indians attempted to capture the mules belonging to the train at the pinery, four and one-half miles from the post, but did not succeed.

*October 13.*—Major Van Voast, commanding Fort Reno, reports the loss of 41 mules, run off by Indians, while out grazing.

*October 17.*—General Smith reports one man killed and scalped by Indians four and one-half miles from the post, at the pinery.

*October 20.*—Captain H. E. Noyes, commanding detachment 2d cavalry, reports from Crazy Woman's Fork, Powder river, his camp attacked by Indians at midnight; one Indian killed and several wounded.

*October 25.*—Colonel Dye, commanding Fort Fetterman, Dakota Territory, states Indians attempted twice to run off the stock of three trains *en route* from Reno to his post.

*November 6.*—General Smith reports from Fort Phil. Kearney that on the night of the 4th instant Indians attacked a government train on Goose creek, *en route* to Fort C. F. Smith, capturing the mail and contents of several wagons, killing one soldier, wounding Lieutenant E. R. P. Shurley and three enlisted men of the 27th infantry, and one citizen.

*December 1.*—Major Burt, 27th infantry, reports from Fort C. F. Smith, skirmish had with Indians at Crazy Woman's Fork, Powder river, November 13. Indians attempted to stampede the herd, but were driven off, losing several ponies.

*December 8.*—General Smith reports a contractor's train had been corralled by Indians at Crazy Woman's Fork, Powder river, capturing part of the cattle, killing one enlisted man, wounding three others, and four citizens.

*March 5.*—General Slemmer, commanding Fort Laramie, Dakota Territory, reports the killing of a ranchman on Bitter Cottonwood creek.

*March 12.*—General Wessells, commanding Fort Fetterman, states that a mail party from Reno was attacked by Indians on Day Fork of Cheyenne river. No loss.

*March 13.*—General Slemmer states that Indians captured a mule team between Fort Fetterman and the saw-mill, belonging to that post.

*March 14.*—General Slemmer reports that Indians captured a mule team between his post and Laramie Peak saw-mill.

*March 18.*—General Wessells, commanding Fort Fetterman, reports that Indians captured 29 mules belonging to the train at the saw-mill, killing one enlisted man.

*March 18.*—General Wessells states that Indians attacked Brown's camp, on Box Elder, driving off 60 head of cattle.

*March 23.*—General Slemmer reports that Indians killed three men at Twin Springs.

*March 24.*—General Slemmer reports the burning of ranches and the killing of ranchmen between Forts Laramie and Fetterman.

*April 3.*—General Stevenson, commanding Fort D. A. Russell, reports Indians running off 12 head of mules belonging to Hook and Moore, near Lone Tree creek, and mortally wounding one of the herders.

*April 3.*—General Gibbon, commanding Fort Sanders, states that

Indians attacked a wood party on Rock creek, and ran off some ponies. One Indian was killed in the affair.

*April 10.*—General Potter, commanding Fort Sedgwick, reports that Indians ran off 40 head of animals from Big Springs.

*April 21.*—Major Burt, commanding Fort C. F. Smith, states that Indians made an attempt to capture a herd of mules at his post. They were, however, foiled in their attempt.

*April 22.*—General Palmer, commanding Fort McPherson, reports that Indians drove off a beef herd and killed five citizens near the post.

*May 5.*—Brevet Major Dallas, Fort Kearney, reports a party of scouts from Fort Hays chased to within six miles of his post.

*May 9.*—Major Dallas, commanding Fort Kearney, reports stock stampeded from a train encamped on the Platte, two miles west of the post.

*June 3.*—General Palmer, commanding Fort McPherson, Nebraska, reports that Indians run off stock from Columbus, Nebraska.

*June 7.*—General Smith, commanding at Fort Phil. Kearney, reports that on June 3d 26 mules and 3 horses belonging to a train under charge of Captain E. F. Thompson were run off by Indians at Trout creek, Montana Territory.

*July 20.*—General Gibbon, Fort Sanders, reports that Indians ran off a lot of mules belonging to Colonel Creighton, but they were recaptured.

*July 28.*—General Smith, Fort Phil. Kearney, reports Indians attacked an escort returning to the post, but were repulsed. Also, that a train was fired into while in camp at Fort Reno. Also, that on July 19, while a party from Reno was out hunting cattle, Indians rose from ambush with hostile intent; soldiers opened fire and fell back to the post; were re-enforced by a detachment of cavalry under command of Lieutenant E. R. P. Shurley, when the Indians were driven off. One enlisted man killed and one wounded. Several Indians were wounded and ponies killed.

*September 6.*—General Gibbon, commanding Rocky Mountain district, reports 70 head of mules run off from one of Colonel Carling's trains, on Cooper's creek.

*September 9.*—General Slemmer reports the loss of 10 mules, run off by Indians, from the government saw-mill at Laramie Peak.

*September 20.*—General Wessells reports that Indians drove off 24 horses and mules from Ecaffey's ranch.

GEO. D. RUGGLES,  
*Assistant Adjutant General.*

*B.—List of ordnance and ordnance stores requiring repairs, and for which purpose should be sent to an arsenal.*

1 3-inch wrought-iron gun, No. 61.	227 carbine swivels.
6 caissons for 12-pounder field howitzer and 6-pounder gun.	59 carbine brush wipers and thongs.
2 caissons for 12-pounder mountain howitzer.	139 pistol cartridge pouches.
2 limbers for 12-pounder mountain howitzer.	172 pistol belt holsters.
2 carriages for 12-pounder mountain howitzer.	270 sabre belts.
2 gunner's gimlets.	200 sabre belt plates.
6 banyard.	176 sabre knots.
2 painting wires.	673 bayonet scabbards.
2 sponges and rammers.	184 cartridge boxes, calibre .58.
3 Ballard's carbines.	214 cartridge box plates.
	24 cartridge boxes, Howlett's.
	5 cartridge boxes, Laidley's.
	101 cartridge boxes, Morris's.
	7 cartridge boxes box belts.
	33 cartridge boxes box belt plates

22 Gallagher's carbines.	490 cap pouches.
29 Joslyn's carbines.	146 gun slings.
24 Merrill's carbines.	6 sword frogs.
365 Spencer carbines, calibre .50.	4 sword belts and plates, N. C. O.
139 Spencer carbines, calibre .52.	2 waist belts and plates, N. C. O.
3 Sharp's carbines.	10 spring vices.
102 Stave's carbines.	13 ball screws.
139 Springfield breech-loading muskets, calibre .50, model of 1866.	4 tumbler and band spring punches.
473 Springfield rifle muskets, calibre .58.	37 tompons.
8 Austrian muskets.	29 wipers.
251 Enfield muskets.	128 bridles, curb, cavalry.
2 assorted muskets.	24 bridles, watering.
6 Mississippi rifles.	71 currycombs.
16 revolvers, Colt's army, calibre .44.	62 girths.
201 revolvers, Remington, calibre .44.	108 halters and straps.
4 sabre, artillery.	33 horse brushes.
199 sabres, light cavalry.	28 lariats.
18 sabres, heavy cavalry.	171 picket pins.
17 swords, non-commissioned officers.	521 saddles, cavalry, McClellan.
3 swords, musicians.	50 saddles, California.
223 carbine cartridge boxes.	137½ spurs, pairs.
68 carbine cartridge boxes, Blakely's.	104 spur straps, pairs.
68 carbine cartridge box belts and plates, Blakely's.	4,050 carbine cartridges, metallic, cal. .50.
268 carbine cartridge pouches.	37,504 carbine cartridges, calibre .52.
68 carbine slings and swivels, N. P.	1 jackcrew.
203 carbine slings.	2 whips, Artly.
	32 arm chests.
	148 packing boxes.

G. B. RUSSELL,

*Brevet Major U. S. A., A. D. C. and Acting Chief Ordnance Officer.*

*Consolidated report of trains passing the several posts in the department of the Platte for the year ending September 30, 1868.*

Posts.	No. of wagons.	No. of persons.			No. of animals.				No. of arms.		
		Men.	Women.	Children.	Horses.	Mules.	Oxen.	Lead animals.	Rifles.	Carbines.	Pistols.
Fort Kearney, N. b. ....	199	376	108	189	314	355	1,577	2,753	123	90	235
Fort McPherson, Neb. ....	67	87	36	60	69	90	8	4	40	37	63
Fort Sedgwick, C. T. ....	567	915	307	684	1,094	870	901	131	103	96	170
Fort D. A. Russell, W. T. ....	36	24	.....	.....	3	.....	216	.....	3	18	20
Fort Sanders, W. T. ....	789	1,067	101	184	856	950	3,789	36	506	.....	410
Fort Fred. Steele, W. T. ....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Fort Bridger, W. T. ....	861	1,374	91	174	1,125	2,429	1,594	87	.....	.....	.....
Camp Douglas, W. T. ....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Fort Laramie, W. T. ....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Fort Fetterman, W. T. ....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Fort Reno, W. T. ....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Fort Phil. Kearney, W. T. ....	377	436	.....	.....	21	1,336	1,503	.....	137	252	.....
Fort C. F. Smith, M. T. ....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Total.....	2,896	4,279	643	1,291	3,482	6,030	9,588	3,011	912	943	918

GEO. D. RUGGLES, *Assistant Adjutant General.*

## REPORT OF BREVET MAJOR GENERAL ALFRED H. TERRY.

HEADQUARTERS DEPARTMENT OF DAKOTA,

*St. Paul, Minnesota, October 5, 1868.*

GENERAL: In obedience to the instructions of the Lieutenant General commanding, I have the honor to submit a report of military affairs in this department occurring since my last annual report, which was dated on the 27th day of September, 1867.

The department of Dakota is now divided into four military districts, and the distribution of troops is as follows:

1st. The district of Minnesota, commanded by Brevet Brigadier General E. B. Alexander, colonel 10th infantry, including the following named posts: Fort Snelling, Minnesota, commanded by Brevet Brigadier General E. B. Alexander, and garrisoned by company B of that regiment; Fort Ripley, Minnesota, commanded by Brevet Major E. G. Bush, captain 10th infantry, and garrisoned by companies A and G of that regiment; Fort Abercrombie, Dakota Territory, commanded by Brevet Brigadier General William H. Sidell, lieutenant colonel 10th infantry, and garrisoned by companies D and I of that regiment, and 15 Indian scouts; Fort Wadsworth, Dakota Territory, commanded by Brevet Major J. A. P. Hampson, captain 10th infantry, and garrisoned by companies C, E, and K of that regiment, and 20 Indian scouts; Fort Ransom, Dakota Territory, commanded by Brevet Lieutenant Colonel R. H. Hall, captain 10th infantry, and garrisoned by companies F and H of that regiment, and 15 Indian scouts.

2d. The district of southeastern Dakota, commanded by Brevet Major General D. S. Stanley, colonel 22d infantry, including the following named posts: Fort Sully, Dakota Territory, commanded by Brevet Major General D. S. Stanley, colonel 22d infantry, and garrisoned by companies E, G, and H of that regiment; Fort Dakota, Dakota Territory, commanded by Brevet Lieutenant Colonel W. A. Olmstead, first lieutenant 22d infantry, and garrisoned by company D of that regiment; Fort Randall, Dakota Territory, commanded by Brevet Colonel Alexander Chambers, major 22d infantry, and garrisoned by companies C and F of that regiment; Fort Rice, Dakota Territory, commanded by Brevet Colonel E. S. Otis, lieutenant colonel 22d infantry, and garrisoned by companies A, B, I, and K of that regiment, and nine Indian scouts.

3d. The middle district, commanded by Brevet Brigadier General P. R. De Trobriand, colonel 31st infantry, and including the following posts: Fort Stevenson, Dakota Territory, commanded by Brevet Brigadier General P. R. De Trobriand, colonel 31st infantry, and garrisoned by companies H and I of that regiment, and 15 Indian scouts; Fort Totten, Dakota Territory, commanded by Brevet Colonel J. N. G. Whistler, major 31st infantry, and garrisoned by companies A, D, and K of that regiment; Fort Buford, Dakota Territory, commanded by Lieutenant Colonel A. W. Bowman, 31st infantry, and garrisoned by companies B, C, E, F, and G of the same regiment.

4th. The district of Montana, commanded by Colonel I. V. D. Reeve, 13th infantry, at present on leave of absence, and temporarily commanded by Brevet Colonel George L. Andrews, lieutenant colonel 13th infantry, including the following posts: Fort Shaw, Montana Territory, commanded by Brevet Colonel George L. Andrews, lieutenant colonel 13th infantry, and garrisoned by companies A, C, I, and K of that regiment; Camp Cooke, Montana Territory, commanded by Major William Clinton, 13th infantry, and garrisoned by companies B, E, and H of that regiment; Fort Ellis, Montana Territory, commanded by Captain R. S. LaMotte, 13th infantry, and garrisoned by companies D, F, and G of the same regiment.

This organization and distribution of troops is the same as at the date of my last report, excepting the transfer of one company of the 22d infantry from Fort Sully to Fort Randall, and one company of the 10th infantry from Fort Abercrombie to Fort Ripley.

The movements of troops in the district of Minnesota, with the exception of the sending of one company of the 10th infantry from Fort Aber-

crombie to Leach lake, for purposes which will be mentioned hereafter. have been confined to escort duty between the several posts of the district. and the protection of contractors' trains and herds of beef cattle *en route* from Fort Abercrombie to Fort Stevenson on the Missouri river.

In the district of southeast Dakota there has been no movement of troops, except the transfer of one company of the 22d infantry from Fort Sully to Fort Randall, it having been deemed expedient to increase the garrison of the last-named post in consequence of the establishment of a new Indian reservation in the immediate vicinity.

In the Middle district the various bands of the Sioux have been almost constantly throughout the year perpetrating acts of hostility, directed chiefly at the mail parties and cattle herds, occasioning a constant activity on the part of the garrison, and often preventing any communication between the posts except by strong parties. The difficulty has been complicated by the visits of bands of half-breeds from the British territory who have supplied the hostile Sioux with whiskey and ammunition. Detachments have been, from time to time, sent out from the post in pursuit of Indians who have committed depredations, but these have usually failed of their object, being parties of infantry called suddenly from fatigue duty and hastily mounted for the purpose.

It having been reported that a camp of half-breeds had been established at the Little Muddy river for the purpose of illicit traffic with the Indians, a party was sent from Fort Buford, under command of Lieutenant Hogan, 31st infantry, which broke up the camp and captured some merchandise, including a small amount of ammunition. The articles so seized have been turned over to the United States civil authorities for the Territory of Dakota.

In the district of Montana Brevet Lieutenant Colonel Nugent, with 100 men of the 13th infantry, established, on the 9th of May, a summer camp at the mouth of the Muscleshell. The troops will be withdrawn at the close of navigation.

The depredations of the Blood, Pegan, and Blackfeet Indians upon the settlers and mail stations rendered it necessary to establish a patrol along the stage route from Fort Benton to Helena, M. T., during the winter and early spring. Parties have also, on several occasions, been detailed for the protection of the mail route from Minnesota to Montana. Detachments sent in pursuit of stock stolen by the Indians in this district have generally succeeded in recovering the property.

The behavior of the various tribes and bands of Indians in this department during the year has been so diverse as to preclude any general characterization. The tribes in Montana and northern Dakota, with the exception of the Kees, Mandans, and Sisseton and Wahpeton Sioux, have been found in a constantly hostile attitude, and appear to have omitted no opportunity of committing depredations upon settlers and public property; while from the bands occupying southern Dakota and Minnesota little or no trouble has been experienced. Most of the movements of troops have been occasioned by hostile demonstrations of Uncpapa and other bands of Sioux, River Crow, Pegans, Blood, and Blackfeet.

The depredations of these Indians, though not on a large scale, have been of frequent occurrence, requiring incessant vigilance on the part of the garrisons of the posts, and causing in the aggregate the sacrifice of a number of lives and a considerable loss of property, both to private citizens and to the public. The subject can be probably best presented by enumerating in detail the most important of these hostile acts.

On the 10th of October, 1867, the Uncpapas attacked a logging party

sent out from Fort Stevenson, wounding one man severely, and the next day captured five mules and killed an ox.

On the 6th of November the wood party from Fort Buford was attacked by Uncapapas two miles from the post; one man was killed, one wounded, and four mules were lost.

In February, 1868, Indians stole a number of animals from citizens near Fort Shaw; the detachment of troops sent in pursuit failed to overtake them.

On the 19th of April, 1868, Indians stole horses from the mail station at Dearborn creek, Montana, and from citizens in that vicinity. Troops were again sent in pursuit without success.

On the 20th of April Indians attacked the herd of the government contractor at Fort Ellis, M. T.; they were pursued by a detachment under Captain Horr, 13th infantry, who recaptured the larger portion of the herd, and took six horses and one mule.

On the 21st of April, Indians, depredating on the cattle herd near the Upper Yellowstone river, killed one cattle herder; Captain Horr pursued them to the mountains. Two days after the Indians killed another man two miles from Fort Ellis.

On the 24th of April Sioux Indians attacked the herd at Camp Cooke and ran off 34 horses and mules.

During April and May the Uncapapas made three attempts to capture the stock herd at Fort Stevenson, but were repulsed.

In May the Uncapapas attacked Fort Totten and ran off the herd, but it was all recaptured excepting three mules.

On the 13th of May two men were killed by Indians 10 miles from Fort Buford; when found they were pinned to the ground by 27 arrows, scalped and horribly mutilated.

On the 15th of May two mail carriers were murdered by Uncapapas, between Forts Stevenson and Totten.

On the 17th Camp Cooke was attacked, but the Indians were repulsed.

On the 19th 75 Sioux attacked Camp Reeve, at the mouth of the Musselshell river; the stock was driven off, but was recaptured by a detachment under Lieutenant Edwards, 13th infantry.

May 24th. The Indians, having stolen stock from citizens near Fort Ellis, were pursued by a sergeant and five men, who recaptured the stock after a brisk skirmish, two horses being killed in the affair.

On the same day Sioux and Crow Indians attacked Camp Reeve, killing two herders; the troops saved the herd, but having no horses could not pursue the Indians.

May 25th. Two mail carriers between Forts Stevenson and Totten were captured and stripped by the Uncapapas, but escaped with their lives.

July 11th. A herd of beef cattle, near the Niobrara river, *en route* for Fort Randall, was attacked by Brulé Sioux; one civilian was killed and two wounded; the Indians were afterwards delivered up by a friendly band.

August 9th. Steamer *Leni Leoti* was fired into by the Sioux, near Fort Berthold, one Mandan Indian on board being killed.

August 10th. Lieutenant Cusick, with 50 men of the 31st infantry, *en route* from Fort Buford to Fort Stevenson, was attacked at 3 a. m. by Sioux; the Indians were repulsed.

On the 20th the herd at Fort Buford, guarded by 21 men, was attacked by two parties of Sioux, 150 to 200 in number; the attack being made on two sides the herd of 250 beef cattle was stampeded, and although the garrison of the post, at the time all at work making "adobes," seized their arms and rushed out, they only succeeded in recovering 57

head; loss two killed and five wounded; among the latter was Lieutenant Cusick, 31st infantry.

On the 23d the mail party between Forts Stevenson and Totten was surprised by Uncpapa Sioux, one sergeant and two men were killed, and the stock captured.

August 24th, 21 Indians, committing depredations near St. Peter's Mission, M. T., were captured by citizens and delivered to the military authorities, with the urgent request that they be summarily dealt with.

During the summer of this year two employés of the Northwest Fur Company, employed cutting hay near Fort Stevenson, were killed by the Sioux, and seven wood-choppers on the river were also killed by Indians.

On the application of the agent for the Chippewa Indians in Minnesota, representing that there was danger of disturbances among the Indians at Leach lake, Minnesota, a detachment of 20 men was sent by the commanding officer of Fort Ripley to the agency at that place on the 2d day of July.

Subsequently this force was increased by one company of the 10th infantry, sent from Fort Abercrombie.

A personal examination into the affairs of the Chippewas, made by me at Fort Ripley on the 21st of August, disclosed the facts that the Indians were greatly dissatisfied with the conduct of their agent, and that while there is no immediate danger of an outbreak, the occurrence of one during next year is not improbable, unless the complaints of the Indians shall receive attention, and any wrongs that they may have suffered be redressed, or they be satisfied that their complaints are without foundation.

During the last winter, a large issue of rations was made to Indians in the vicinity of Fort Totten. This issue was absolutely necessary to prevent starvation. Similar issues were made at Forts Rice, Sully, and Randall, under the instructions of the Lieutenant General commanding, to tribes with which the peace commission was in negotiation, pending a more permanent arrangement.

During the past year the building of Fort Sully has been nearly completed; the company quarters, hospital, storehouses, and officers' quarters are completed, and but very little remains to be done. At Fort Rice but small progress was made last year. This year, at very little expense, most of the material having been made upon the spot by the labor of the troops, company quarters, hospital, and storehouses have been completed. The officers' quarters have been commenced, and a sufficient number of buildings for the accommodation of the officers now at the post will be completed before winter.

At Fort Stevenson the company quarters, storehouses, and hospital have been completed; the officers' quarters are still unfinished.

At Fort Totten the brick buildings designed to make this a permanent post have been commenced; the stone foundations of them all are laid, and the storehouses and hospital completed; the company quarters are in process of erection, but work upon the officers' quarters will not be commenced until next spring.

The buildings at Fort Wadsworth, incomplete at the time of my last report, have been finished, so that no further expense will be incurred upon that account.

No reports have been received from Forts Buford, Shaw, or Ellis, in regard to the progress of building, but it is believed that each of those posts will be substantially finished by the setting in of winter.

In February last I reported to the Lieutenant General commanding that parties from Yankton, D. T., and its vicinity, proposed to make an

expedition to the Black Hills, with a view to settling there, and in accordance with his instructions I directed General Stanley to notify all persons that expeditions into this unceded Indian territory were unlawful, and would not be permitted; and if necessary, to use the force in his district to enforce the prohibition. The notice given by General Stanley proved sufficient to deter the parties referred to from prosecuting their undertaking, and it was not found necessary to employ force.

Nothing else has occurred in the department during the past year of sufficient importance to be mentioned in this report.

I remain, General, very respectfully, your obedient servant,

ALFRED H. TERRY,

*Brevet Major General, United States Army.*

Brevet Major General W. A. NICHOLS, A. A. G.,

*Headquarters Mil. Div. of the Missouri, St. Louis, Mo.*

## REPORT OF GENERAL HALLECK, MILITARY DIVISION OF THE PACIFIC.

HEADQUARTERS MILITARY DIVISION OF THE PACIFIC,

*San Francisco, California, September 22, 1868.*

GENERAL: I respectfully submit the following annual report of the affairs of this military command:

The military division of the Pacific includes the States of Oregon, California, and Nevada, and the Territories of Alaska, Washington, Idaho, and Arizona. It comprises a territory of about 1,218,000 square miles, and has about 12,750 statute miles of sea-coast, including the islands. Its population is about 700,000 whites, and 130,000 Indians. The military force of the division is two regiments of cavalry, one regiment of artillery, and four regiments of infantry.

For military administration the division is divided into three departments, viz: 1st, the department of Alaska; 2d, the department of the Columbia; and 3d, the department of California.

### I.—THE DEPARTMENT OF ALASKA.

Brevet Major General J. C. Davis, commanding. Headquarters, Sitka, Alaska.

This department comprises the territory recently ceded to the United States by Russia, and formerly known as Russian America. Its area is estimated at about 578,000 square miles, and its population at less than 2,000 whites, and about 60,000 half-breeds and Indians. Its military force consists of five companies of artillery and one company of infantry, six companies in all. Six military posts have been designated, each garrisoned by one company, viz: Fort Kodiak, Fort Kenay, Sitka, Fort Koutznou, Fort Wrangell, and Fort Tongass.

*Indian population.*—The accounts of the Indian population of Alaska are so meagre and conflicting, that it is difficult to arrive at very satisfactory estimates. The following, based in part on my own observations, and in part on the accounts of others, must be regarded as only approximately correct. Most writers make four general divisions of the natives of Alaska: 1st, the Koloschians; 2d, the Kenaians; 3d, the Aleutians; 4th, the Esquimaux. These are again subdivided into numerous tribes and families, which have been named, sometimes from their places



of residence or resort, and sometimes from other circumstances or incidents.

1. The *Koloschians*.—This name is given by the Russians to all the natives who inhabit the islands and coast from the latitude  $54^{\circ} 40'$  to the mouth of the Atna or Copper river. The people of British Columbia call them Stikeens. They are said to speak the same language, or at least dialects of the same language, which has been called Koloschian or Stikeen. The Indians of the northern islands and northern coast of British Columbia belong to the same stock, and their entire population was estimated by the early explorers at 25,000. The Koloschians in Alaska, at the present time, have been subdivided and classed as follows:

The Hydás, who inhabit the southern part of Alexandria, or Prince of Wales archipelago. They have usually been hostile to the whites, and a few years ago captured a trading vessel and murdered the crew. Very recently they took possession of a vessel, the Black Diamond, loaded with coal belonging to the quartermasters' department, and stripped her of whatever they desired, but did not injure the crew, who were too weak to offer resistance. They number about 600. These Indians are also called Kaiganies and Kliavakans; the former being near Kaigan harbor, and the latter near the Gulf of Kliavakan.

In the same archipelago are the Hennegas, who live near Cape Pole, and the Chatsinas, who occupy the northern portion of the principal island. They are said to be peaceful, and to number about 500 each, in all about 1,000.

The Tougass, who live on Tougass island and on the north side of Portland channel. A branch of this tribe, called the Foxes, now under a separate chief, live near Cape Fox. The two branches together number about 500.

The Stikeens who live on the Stikeen river and the islands near its mouth. Although represented, as at the present time, peaceable, a few years ago they captured a trading vessel and murdered the crew. They number about 1,000.

The Kakus, or Kakes, who live on Kuprinoff island, having their principal settlement near the northwestern side. These Indians have long been hostile to the whites, making distant warlike incursions in their canoes. They have several times visited Puget sound, and, in 1857, murdered the collector of customs at Port Townsend. They number altogether about 1,200.

The Kous, who have several villages on the bays and inlets of Kou island, between Cape Division and Prince Frederick's sound. They are represented as generally unfriendly to our people, and will rob and murder whenever they have a good opportunity. They are dangerous only to small unarmed traders. They number, in all, about 800.

The Koutznous or Koushnous, who live near Koutznere Head, at the mouth of Hood's bay, Admiralty island. They formerly had a bad reputation, but they now seem disposed to be peaceful. They number about 800.

The Awks, who live along Douglas's channel and near the mouth of Tako river. They have a bad reputation, and number about 800.

The Sundowns and Takos, who live on the mainland from Port Houghton to the Tako river. They are treacherous and mostly hostile. They number about 500.

The Chilcales or Chilkats, living on Lynn channel and the Chilkat river. They are warlike, and have heretofore been hostile to all whites, but at present manifest a disposition to be friendly. They muster about 2,000.

The Hoodsua-hoos, who live near the head of Chatham straits. There are also small settlements of them near Port Frederick, and at some other points. They are all represented as treacherous and dangerous. They number about 1,000.

The Humnas or Hoone-aks, who are scattered along the mainland from Lynn canal to Cape Spencer. They formerly committed frequent hostilities against trading vessels, but have been quiet since the change of flags. Their number is about 1,000.

The Sitkas, or Indians on Baronoff island, who were at first opposed to the change of flags, but have since become friendly. These are estimated by General Davis at about 1,200.

If we add to these the scattering families and tribes on the islands not above enumerated, and the Hyacks, who live south of Copper river, we shall have from 12,000 to 15,000 as the whole number of Koloschians in the Territory.

2. The *Kenaians*.—This name, derived from the peninsula of Kenay, which lies between Cook's inlet and Prince William's sound, has been applied to all the Indians who occupy the country north of Copper river and west of the Rocky mountains, except the Aleutians and Esquimaux. They are a proud and fearless race, but the Russian traders and the employés of the telegraph company represent them as peaceful and well disposed. They, however, are ready to avenge any affront or wrong. I have not sufficient data to give the names, locations, or numbers of the several tribes of these people. Their whole number is usually estimated at 25,000.

3. The *Aleutians*.—This term more properly belongs to the natives of the Aleutian islands, but it has been applied also to those of the Schoumagin and Kodiak groups, and to the southern Esquimaux, whom they greatly resemble. They are generally kind and well disposed, and not entirely wanting in industry. By the introduction of schools and churches among these people the Russians have done much towards reducing them to a state of civilization. As might be expected from the indefinite character of the lines separating them from the Esquimaux, the estimates of their numbers are conflicting, varying from 4,000 to 10,000. Probably the lowest number would comprise all the inhabitants of the Aleutian islands proper, while if we include the other groups and the peninsula of Alaska, and the country bordering on Bristol bay, the whole number may reach as high as 10,000.

4. The *Esquimaux*.—These people, who constitute the remainder of the population of Alaska, inhabit the coasts of Behring's sea and of the Arctic ocean, and the interior country north, and including the northern branches of Youkon river. The Kenaians are said to hold the country along the more southerly branches of that river. The character of the Alaskan Esquimaux does not essentially differ from that of the same race in other parts of the world. They are low in the scale of humanity, and generally harmless, but often treacherous and hostile to small parties of whites. No very reliable data can be given in regard to their numbers, but it is generally supposed that from 10,000 to 20,000 of these people either live permanently in northern Alaska, or frequently visit that section of country from Mackenzie's river on the British territory west of the Rocky mountains. These estimates make the entire Indian population of Alaska from 50,000 to 70,000; probably a mean of 60,000 would be as nearly a correct result as can be arrived at with our present knowledge of the country.

## HOSTILE INDIANS.

It will be seen from the foregoing summary that the Kolaschians are the only Indians in Alaska with whom any serious difficulties are to be apprehended. Although most of these people now pretend to be friendly, they are all of so treacherous a character that depredations by them may be expected on the first favorable opportunity. Our traders are not likely for some time to come into direct contact with the Kenaians, and there is very little to apprehend in their intercourse with the Aleutians and Esquimaux.

## MILITARY POSTS.

Sitka was the only post which, on account of the lateness of the season when the transfer of the territory was made, we could establish last year. The Indians at this place were at first very sullen, and seemed disposed to regard our people with hostility, but under the firm and decided course pursued toward them by General Davis they are now friendly and submissive. As their principal village is directly under our batteries, General Davis deemed one company sufficient for the permanent garrison of the place, and it was at first proposed to transfer the other company to Kou island; but an examination of its harbors not proving favorable, General Davis selected a site for the new post on the peninsula of Koutznou, on Admiralty island, which commands the entrance to a large bay. He represented the advantages of this position to be that: 1. The site is favorable for a military post, and timber is abundant and convenient. 2. The harbor is safe and commodious, and the anchorage good. 3. The entrance is narrow and can be easily fortified, so as to make it a harbor of refuge in time of war. 4. It is easily accessible to vessels entering Chatham's straits from either the north or the south. 5. It is directly opposite Peril straits, which lead to Sitka, and is about equidistant from the Kious, Kakés, Takos, and Chilkats, the most powerful and dangerous of the Kolaschians tribes; and, 6. The most promising coal veins yet discovered in this country are found in this bay.

Captain Mitchell, of the United States steamer *Saginaw*, who has several times visited and examined this harbor, fully confirmed to me these statements of General Davis, and moreover was very sanguine in regard to the character and extent of the coal discovered in the bay. Both these gentlemen regard Koutznou as more favorable for a settlement, and the establishment of a commercial town, than any other they have seen in Alaska.

On these representations I authorized General Davis to commence the establishment of a post there for one company. He has at Sitka all the materials necessary for that purpose. They were sent there last year to enable him to construct shelters for his command, but as the buildings turned over by the Russian authorities were found sufficient for that purpose, most of the lumber and other materials are still on hand and can be used in the construction of the new post. As the season is too far advanced to complete the shelters this fall, General Davis proposes to have the garrison winter at Sitka.

Captain Pierce's company E, second artillery, early last spring commenced the establishment of a small post on *Tougass* island, near our southern boundary, and another on *Wrangell* island, near the mouth of *Stikeen* river. The former was intended for the protection of our traders with the *Tougass*, *Hyda*, *Kaigan*, and other Indians near the frontiers of British Columbia, and the latter to keep the *Stikeens* in check. When

I visited these posts, in August last, Captain Pierce and Brevet Captain Smith—the latter commanding the detachment at Fort Wrangell—were of the opinion that, in view of the reduction of the company by expiration of enlistments, and the equivocal aspect of the Stikeen Indians, the garrisons of these posts were too small for safety. I accordingly ordered company I, same regiment, to occupy Fort Wrangell, and the detachment from company E to return to Fort Tougass.

In view of the importance of establishing relations with the Aleutians and Kenaïans, I sent one company of artillery to Kodiak island, and another to the peninsula of Kinay, to establish posts at each of these places. That sent to Kodiak, after an unprecedentedly long voyage, reached St. Paul harbor in good order June 5, and immediately proceeded to establish the post of Fort Kodiak; but the company sent to Kenay was wrecked in the bark *Torrent*, near its destination, and will not be able to construct its post before next summer. It will winter at Kodiak. The circumstances of this wreck, so far as ascertained, are given in a special report. The Indians at both places have manifested the most friendly disposition toward our people.

#### INDIAN POLICY IN ALASKA.

General Davis expressed the opinion that in order to maintain peace with the powerful tribes of the Koluschians and Kenaïans, the establishment of military posts in their country should precede the advance of settlement and trade. Their relations with the military, when once established, are almost invariably friendly. They are not cheated or ill-treated by the soldiers, and soon learn to respect the authority of the officers, and the power of a well-armed and well-disciplined command. A firm and just administration has a more important influence over savages than is usually supposed. By establishing military posts in the vicinity of the larger tribes or villages, a salutary influence is soon obtained over them, which readily extends to other branches and families of the same Indians. In this way the whole country will be gradually opened to our settlers and traders, without the danger of hostile collisions. They will thus learn that our government is able and ready to compel them to good conduct, and not disposed to reward hostilities and purchase peace by treaties and annuities, as has been the practice elsewhere.

I fully concur in these views in regard to the policy which should be adopted toward the Indians in Alaska; and I believe that the military posts already designated will accomplish the desired object, and that, if this policy be properly carried out, we shall not be under the necessity of sending additional troops to that Territory to carry on a long and expensive Indian war.

For the protection of trading vessels, and to inspire the natives with due respect for our flag, it will be important to keep a vessel of war in these waters. By occasionally visiting the several military posts and larger Indian towns, most of which are on the shores of navigable bays and channels, such a vessel will do much toward maintaining a permanent peace.

#### CIVIL TERRITORIAL GOVERNMENT.

General Davis is of opinion that civil officers of a territorial government are not required in Alaska at the present time, except a court at Sitka, and another at Kodiak, with jurisdiction over all criminal cases. As the business of these courts will be very limited, the expense of main-

taining them ought to be very small. The commanding officer of the department might be authorized to act as the civil executive, with power to enforce the process, decisions, and sentences of these courts. The machinery of an ordinary territorial government for less than two thousand white people, scattered over such a vast area, would involve an unnecessary expense. Moreover, experience has shown that the officers of such a government are not unfrequently the first to involve us in difficulties with the natives. Indian wars give them patronage and contracts. It is particularly recommended that no superintendents or agents of the Indian Bureau be sent to Alaska at the present time.

#### INSPECTION OF POSTS.

I have recently inspected the principal military posts in this Territory. At Tougass and Wrangell the construction of the block-houses and shelters for the men and officers was so far advanced as to warrant their completion before winter. These posts are well situated, with good harbors, and every convenience for landing supplies. Timber and fuel are abundant and easily procured. At Sitka the quarters, barracks, and storehouses are ample, and a few repairs and alterations will make this one of the most comfortable and desirable posts on the Pacific. But little has been done as yet at Tougass and Wrangell by the commands towards establishing vegetable gardens, but those cultivated by the natives gave promise when I visited them (about the middle of August) of abundant crops. Although the soil and climate at Sitka are less favorable than other posts, the gardens there were very promising, and supplied the messes with radishes, lettuce, turnips, beets, carrots, parsnips, onions, peas, beans, and other vegetables. The potato crop also gave promise of a fair yield. In a moist climate like that of Sitka, where the season is short and the sun often obscured by clouds and fogs, garden lands require to be ridged, so as to drain the soil and give it a better exposure. With improved cultivation, and seeds of acclimated plants and grains, the military posts in Alaska I am satisfied will be able to raise all the vegetables they require. Most of the roots and seeds planted this year came from California, and were raised in a dry soil and under a hot sun. Those from Maine or Canada would be more suitable for the climate of Alaska.

The growth of the grasses and grains from seeds sown as an experiment or accidentally scattered was very luxuriant. Among these I noticed clover, timothy, blue-grass, oats, barley, and rye. Although the grains were of rank growth, the stalks being some five or six feet high and the heads well-formed and full, (the middle of August,) doubts were expressed whether they would mature. General Davis was also doubtful whether at Sitka hay could be cured for a winter's supply, on account of the frequent fogs and showers in August and September. But this difficulty is not so great at the other posts, and I have no doubt that it can be surmounted even at Sitka. If so it will save the shipment of hay to these posts, which is a large item of expense. The pasture during the summer is good and abundant wherever the timber and underbrush have been removed. Nearly all of southern Alaska is covered with dense forests of valuable timber, easy of access by vessels, and with abundant water-power for saw mills and other machinery. The underwood is almost tropical in its character and luxuriance of growth.

## BRITISH COLUMBIA AND NEW CALEDONIA.

These British provinces lie directly adjacent to Alaska. The former is bounded on the south by Washington Territory, on the east by the Rocky mountains, and on the north by Simpson's river and the Finlay branch of the Peace river, including Vancouver's island and Queen Charlotte's archipelago. All steamers and all sailing vessels taking what is called the inside passage, plying between Alaska and any of our Pacific States and Territories, pass through and navigate the waters of the province from the Straits of Fuca to Fort Simpson, a distance of over 550 miles. The latter province, generally called New Caledonia, is bounded on the west by Alaska, on the east by the Rocky mountains, and extends from British Columbia to the Arctic ocean. It is virtually governed and its trade controlled by the Hudson Bay Company. Many of the large rivers, like the Stikeen, Tako, and Chilkat, which empty into the waters of Alaska, have their sources in this province, and many of the Indian tribes which inhabit the banks of these rivers live partly in Alaska and partly in New Caledonia, but the greater part of their trade passes through those on the coast. Hence the intimate relations of Alaska with these two British provinces in all matters of trade, commerce, and navigation.

A considerable portion of the Esquimaux, Kenaïans, Chilkats, Takas, and Stikeens who belong to Alaska, actually reside much of the time in British territory.

The number of Indians subject to British laws and to British authority in New Caledonia has been variously estimated at from 10,000 to 20,000. The number of whites is very small, including only a few traders and agents of the Hudson Bay Company.

British Columbia contains a white population of about 8,000, and about 40,000 Indians. Those who live on the inside passage may be described and enumerated as follows: at and near Nanaimo, 400; on Valdes island, near Cape Mudge, 100; Ninkish river, 200; Fort Rupert, 400; Shadwell passage, 200; Smith's inlet and River channel, 300; Bella Bellas, 300; on Lands and Douglas channel, 300; on Kitamat river, 200; in all about 2,500. The Kitamat river and Fort Rupert Indians have a bad reputation; all the others are peaceful and friendly.

Those of British Columbia and New Caledonia who live near the boundary and come into Alaska or trade with the Alaska Indians are the Chimpsains, who live on the Chimpsain peninsula, and number about 1,500; the Nass river Indians, about 2,000; the Skewa river Indians, about 2,500; the Kithatets, on Ogden's channel, 300; the Hydahs on the northern part of Queen Charlotte's island, 600; the Stikeens and Takas, on the upper waters of these rivers, 1,000; in all about 8,000.

## II.—THE DEPARTMENT OF THE COLUMBIA.

Brevet Major General George Crook commanding; headquarters, Portland, Oregon.

This department is composed of the State of Oregon and the Territories of Washington and Idaho. Its area is about 275,000 square miles. Its white population is estimated at 130,000, and its number of Indians at 35,000. The military force of this department consists of one regiment of infantry, two companies of artillery, and eight companies of cavalry—in all 20 companies.

There are 15 military posts in this department, viz.: Camp Steele, on San Juan island, one company; fort at Cape Disappointment, one com-

pany; Fort Vancouver, one company; Fort Colville, one company; Fort Lapwai, one company; Fort Boise, one company; Camp Three Forks, two companies; Camp Lyon, one company; Camp C. F. Smith, one company; Camp Klamath, one company; Camp Warner, three companies; Camp Harney, three companies; Camp Logan, one company; Camp Watson, one company; Fort Stearns, one company. The first four of the above mentioned posts are in Washington Territory, the next three in Idaho, and the last eight in Oregon. Camp Steele, on San Juan island, is kept up in compliance with the treaty provisions of joint military occupation; the garrisons at Cape Disappointment and Fort Stearns are simply to occupy and keep in order the fortifications at those places; the company at Fort Vancouver, to guard the depot of quartermaster and commissary stores, and those at Fort Colville and Fort Lapwai, to enforce revenue laws, and preserve order on the Indian reservations. The other posts in Idaho and Oregon have been centres or auxiliary points in operation against hostile Indians.

The Indian war which has been waged for many years in southern Oregon and Idaho, and the northern parts of California and Nevada, has been conducted with great energy and success by General Crook since he took command in that section of country. On the 22d of August he reported that about eight hundred hostile Indians had surrendered, and that the war was virtually closed. Since that time no new depredations have been committed; but it has not been deemed safe to withdraw any considerable portion of the troops. Probably two or three of the less important posts may be dispensed with next year, and a reduction made in the large garrisons at Camps Warner and Harney.

Too much praise cannot be given to General Crook for the energy and skill with which he has conducted this war, enduring without complaint the hardships, privations, and dangers of its numerous marches, scouts, and battles. For the details of military operations in this department during the past year I respectfully refer to the several reports of the department and district commanders forwarded from department headquarters.

### III.—THE DEPARTMENT OF CALIFORNIA.

Brevet Major General E. O. C. Ord commanding; headquarters San Francisco, California.

This department includes the States of California and Nevada, and the Territory of Arizona. As each of these is so separated geographically from the others as to require distinct and independent means of defence, it will be better to discuss these separately.

#### 1. CALIFORNIA.

This State has an area of 159,000 square miles, with a population of about 500,000 whites and 12,000 Indians. The military force in the State consists of four companies of artillery, one company of cavalry, and six companies of infantry, in all 11 companies. But two of these are required to garrison the permanent fortifications in this harbor, and two others constitute the artillery school of practice, leaving only seven companies for service in the interior or against Indians. Of these, one is stationed at Camp Wright to preserve order among the Indians of the Round Valley reservation; two at Camp Gaston, for the Hoopa Valley reservation; one at Camp Lincoln, for the Smith River reservation; two at Camps Crook and Bidwell, among the Goose Lake and Pitt River Indians; and one at Camp Independence, on Owen's river, near the

southeast corner of the State. The only serious hostilities committed in this State during the past year have been by the Goose Lake and Pitt River Indians; but these, with the assistance of General Crook's forces from Camp Warner, were speedily put down, and it is hardly likely that they will be renewed. The Indians at Hoopa Valley and Smith River have several times threatened to give trouble, but the troops at these places have proved sufficient to keep them in subjection. The garrison at Camp Independence has been able to maintain peace in Owen's River valley, and in the southwestern part of Nevada. In fact, the post is intended for service against the Nevada, rather than California Indians.

Although none of the troops from the interior posts of this State can probably be spared for some years, the garrisons being now reduced to the minimum, it is believed that they will prove sufficient to maintain peace in all the districts where any considerable Indian population is left. Occasional robberies and murders by Indians will occur, as they do by whites, in the thinly settled parts of California, but these do not constitute an Indian war, or, as a general rule, require the interposition of military force. The prevention and punishment of such crimes by individuals, or parties of individuals, whether Indians or whites, pertains properly to the civil authorities of the State.

## 2. NEVADA.

This State has an area of 102,000 square miles, and a population of about 50,000 whites, and about 8,000 Indians. The military force in the State consists of six companies of cavalry and two companies of infantry; in all eight companies. These eight companies garrison Camps McDermit, Winfield Scott, Ruby, and Halleck, and Churchill barracks. General Ord, on a recent visit to Nevada, decided that Camp McGary was no longer required, and removed its garrison to Camp Winfield Scott. The principal Indian hostilities committed in this State during the past year were in Paradise valley and on the mail route to Idaho, in the neighborhood of Camps McDermit and Winfield Scott. The depredators generally belonged to bands of the Pah-utes, which have recently surrendered to General Crook. Possibly some of the Shoshones from the headwaters of the Owyhee and Bishop's rivers are engaged in these robberies and murders, but there was no positive evidence to implicate them, and they are now quite demonstrative in their pretensions of friendship. The garrisons of Camps Halleck and Ruby have proved sufficient to protect the workmen on the Central Pacific railroad in its advance eastward, and to furnish an escort to the geological survey ordered by the War Department. It is believed that Camp Ruby can be dispensed with early next spring, and its garrison can be transferred to the line of the railroad. As soon as the railroad is constructed to the mouth of Muggie creek, on the Humboldt river, it is probable that a new stage and mail route will be opened from that point to Ruby, Silver, and Boise cities, in Idaho. If so, a military post will be required on the route to protect it against the Shoshone and Goose Mountain Indians; and even if this road should not be opened as a stage and mail route, the agricultural importance of Independence and Vallance valleys will necessitate a new post in that section of the country. It is also probable that a new post will be required on the line of the railroad near the eastern boundary of the State, on account of the hostile character of the Goose Mountain Indians, and the cowardice and timidity of the Chinese laborers employed in the construction of the road. The officers of the company represent that these laborers cannot be retained if exposed in the slightest degree to Indian raids.



It is believed that the military force now in the State is sufficient to accomplish these objects, but a proper regard for the public interests requires that it should not be diminished to any considerable extent.

Last winter several robberies and atrocious massacres were committed near the boundary line of California and Nevada, between Pyramid and Houcy lakes. Immediately on receiving reports of these outrages, troops from Churchill Barracks and Camps McGarry and McDermitt were ordered to proceed to the scene of the depredations, and to punish the robbers and murderers. But, before the arrival of the troops, the miscreants had fled to their caves and fastnesses in the mountains which are virtually inaccessible to white men. These outrages were, at the time, attributed to the Pah-utes and some outlaws from Young Winnemucca's band, at Pyramid lake. But it has since been ascertained that the culprits belonged to the Pitt River Indians. General Crook has very properly held the chiefs of that tribe responsible for these outrages, but the chiefs say that the depredators are renegades and outlaws from their tribe, that they are now concealed in the mountain fastnesses, and that the tribe ought not to be held responsible for their acts. The general has, nevertheless, very properly, demanded their surrender or punishment by the tribe, and it is hoped that the negotiations now pending for their surrender will be successful. At any rate a renewal of such outrages by these Indians is not probable.

### 3. ARIZONA.

This Territory has an area of some 104,000 square miles. There are no very reliable data in regard to its population, but a mean of various estimates would place it at about 8,000 whites and 15,000 Indians. The military force in the Territory consists of two full regiments of infantry, and nine companies of cavalry; in all 29 companies—that is, nearly one-half of all the troops in the division available for service in the field. Nevertheless, considerable dissatisfaction has been shown by the inhabitants because more troops were not sent to that Territory. This could not be done by me from the small force at my disposal without depriving other States and Territories of their proportionate share of protection in places where Indian hostilities existed or were threatened.

#### *Distribution of troops and military posts.*

These troops in Arizona are distributed as follows: At Fort Mojave, two companies for the protection of the depot, with outposts on the road to San Bernardino; at Camp Willow Grove, two companies for the protection of the road from Mojave to Fort Whipple, and operations against the hostile Huallapais; at Fort Whipple, two companies for defending depot and operations against the Apaches; at Camp McPherson, one company to protect road and mail from La Paz to Prescott; at La Paz, one company for duty at Indian reservation; at Camp Lincoln, two companies to protect settlers on the Verde, and operate against Apaches east of that river; at Camp McDowell and the outpost of Camp Reno, five companies to guard depot and operate against Apaches between the Verde and Salinas rivers; at Fort Youma,\* one company to guard main depot of supplies; at Camp Lowell, Tucson, one company to guard depot of supplies for southern Arizona; at Camp Grant, three companies to protect roads and settlements, and to operate against Apaches; at Camp Goodwin, three companies to protect roads and settlements, and to operate against Apa-

\* Fort Youma is in the State of California, but is included in the military district of Arizona.

ches; at Camp Bowie, one company to guard an important pass and check hostile incursions by Indians from New Mexico; at Camp Wallen, two companies. This post was established to prevent hostile incursions by the Sonora Apaches, and especially by the band of Cachise. As it had signally failed to accomplish either of these objects, it is probable that its location was not judicious. At Camp Crittenden, three companies. The troops were removed from Tubac to this place as being a more healthy position. They are intended for general operations against Apaches in southern Arizona.

The locations of these several posts were determined by General McDowell, after frequent personal visits to all parts of that Territory, and after consultation with officers fully acquainted with the topography of the country, and of large experience in operations against the Apaches. They should, therefore, be changed only after mature deliberation, and upon the most satisfactory evidence that their location is erroneous. I have interfered only to prevent what I considered too great a division and scattering of our forces. To properly locate a military post in an Indian country, an officer should have a knowledge of the topography of the country, the dangers threatened, and the means of averting or surmounting them. As General McDowell possessed this knowledge in a remarkable degree, I have felt the less disposed to change or overrule any distribution of troops in Arizona which he proposed or ordered.

In northern Arizona the troops under Generals Devin, Price and Alexander have been, during the past year, actively engaged in scouts, and their operations have been attended with very considerable success. Much of the country lying between Verde and Salinas rivers, heretofore unknown, has been explored, and Apaches shown that we can now penetrate to their secret haunts and homes. As soon as proper depots of supplies can be established, these explorations will be renewed with every prospect of favorable results.

The efficiency of the forces south of the Gila has not been so manifest, and their operations have been less successful.

The details of the military operations in Arizona during the past year are given in the several reports forwarded through department headquarters. Arizona has been greatly misrepresented, even by its own people. It has been described as a wonderfully rich mineral country, abounding in lodes and mines of gold and silver, of such surpassing wealth, that any man who would work them could, in a few months, accumulate a fortune of millions! But these mines of fabulous wealth, if they really exist, are as yet undeveloped, and perhaps undiscovered. I do not mean to say that there are no valuable mines in Arizona, but simply that the products of these mines have never equalled the sanguine anticipations and representations of their owners, and that the failure of expected dividends to anxious stockholders has not been entirely due to the want of military protection, as is so commonly alleged. But this Territory has interests and resources other than its minerals, and I have little doubt that in a few years its agricultural products will far exceed in value the yield of its mines of gold, silver and copper, however rich they may prove to be. In many parts of the country the soil is exceedingly rich, and crops of all kinds are most abundant. Its climate is favorable for the growth of most kinds of grain and fruits, and its grass lands are so extensive and rich that the traveller is surprised to learn that the beef and mutton consumed is mostly obtained from Texas and California, and still more that much of the bread eaten is made of flour imported from California and Sonora. There can be little doubt that when the Territory shall receive an immigration of thrifty farmers,

it will become one of the most prosperous countries on the Pacific slope. But farmers and stock-raisers are ever more exposed to Indian depredations, and require more military protection in a country infested by hostile Indians, than miners in the development of their mines. The farmer's wealth consists in his cattle and crops; and if these are destroyed, he is often utterly ruined. The miner's principal wealth is in his mines, which the Indians cannot destroy, although they may cripple his operations for a time by robbing him of his work animals, his tools, and his supplies. Notwithstanding the too frequent raids of Apaches, and the ruin which they have caused to many ranches, the farming interest in Arizona has made considerable progress within the last two years. Many posts are now mainly supplied by the products of the country, and at prices nearly 50 per cent. less than formerly.

### *Necessity of more troops in Arizona.*

It will be seen from this summary that, while there is a considerable military force in this Territory, the number available for scouts and field operations is small, and that this field force cannot be increased without leaving unprotected many necessary depots of supplies and important mining and agricultural districts. I, therefore, respectfully and most urgently repeat my recommendation of last year, that an additional force of one or two regiments of infantry be sent to this division for service in Arizona. The troops now there will be able to hold their present positions and to make gradual advances upon the enemy until he is finally subdued or destroyed. But this process must be a slow one. With the additional troops asked for, the operation will be greatly facilitated, the desired result attained in less time, and the total cost of the war greatly diminished.

I call attention, also, in this connection, to the fact that the health of the troops in southern Arizona will soon render it necessary to exchange them for those at more northerly posts, say in California and Oregon. But to make this exchange will require several months, and, in the mean time, many posts would be so reduced as to be unsafe, and all would be too weak for any field operations against the hostile Indians. If an additional regiment of infantry be sent to the division, these changes can be effected gradually and without serious detriment to the service.

### INDIAN SCOUTS.

The law authorizing the employment of Indian scouts limits the number to 1,000, of which only 200 are assigned to this division. If this number could be doubled, at least on this coast, it would greatly facilitate military operations in Arizona. Officers are unanimous as to the value and usefulness of these scouts in the field.

### CHARACTER OF THE APACHES AND THEIR MODE OF WARFARE.

I beg leave to reproduce the following extracts from my annual report of last year:

The Apaches and cognate tribes in Arizona and northern Sonora are the natural and hereditary enemies of the whites, of whatsoever nation or character. They have successfully expelled from that Territory the Aztecs, the Spaniards, and the Mexicans; and they will yield to our people only when compelled to do so by the rifle and the revolver. They probably resemble the African Bedouins more than any other people; and murder and robbery constitute almost the sole occupation of the Apaches. These Indians do not fight in masses, like most of the tribes of the Rocky mountains, but more stealthily in small bands over the greater portions of Arizona and the northern part of Sonora and Chihuahua, waylaying and

murdering travellers on the roads, and plundering and destroying unprotected agricultural and mining settlements. This mode of warfare, combined with the rough and desert character of the country, and the want of practicable roads, renders it very difficult to operate successfully against them, or to give adequate protection to the small and scattered settlements in that extensive but sparsely populated Territory.

It is useless to negotiate with these Apache Indians. They will observe no treaties, agreements, or truces. With them there is no alternative but active and vigorous war, till they are completely destroyed, or forced to surrender as prisoners of war.

Another year's experience has confirmed the correctness of these remarks. But what is to be done with these Indians when captured or surrendered as prisoners of war? The agents of the Indian bureau, as a general rule, refuse to receive them, and the military have no funds or authority to establish special military "reservations" for them. To keep and to guard them at military posts will require the whole force of the garrison, and prevent the troops from operating in the field. We have no available funds with which to purchase seeds and agricultural implements, so that they can be made to contribute to their own support; and to keep them in idleness for any length of time has a most injurious effect. If permitted to hunt and fish for their own support, they are certain to desert and resume hostilities. It is hoped that some steps may be taken to modify our Indian system, at least in Arizona, so as to obviate these very serious difficulties in the reduction of the Apaches and the pacification of the Territory. I respectfully repeat my recommendation of March last, that Arizona, with the three most southerly counties of California, be made a separate military department. I believe this change to be essential to the discipline of the troops and the proper direction of military operations there. The present department of California is of so great a geographical extent, with so many posts distant from each other, and connected by roads and mountain trails difficult to travel, that the department commander cannot make the personal inspections and give to its affairs that personal supervision which are absolutely required. Making Arizona a separate department will not only be of advantage to that Territory, but will give a better supervision to military affairs in California and Nevada. General Ord fully concurs with me in this recommendation.

#### COST OF SUPPLIES AND TRANSPORTATION.

It gives me pleasure to report that the opening of new roads and the settlement and cultivation of land in the vicinity of the military posts have greatly reduced the cost and transportation of army supplies in the division generally. Still further reductions may be hoped in the future.

The locations of the several military posts in the division are designated on the accompanying maps.

Very respectfully, your obedient servant,

H. W. HALLECK,  
Major General Commanding.

THE ADJUTANT GENERAL OF THE ARMY,  
Washington, D. C.

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*Lists of enclosures to foregoing letter of September 22, 1868.*

1. General report of operations in his command, by Brevet Brigadier General Thomas C. Devin, lieutenant colonel 8th cavalry, commanding sub-district of Prescott, dated Camp Whipple, A. T., June 12, 1868, with General Ord's endorsement (dated July 10, 1868) intimating that some

of the posts may have to be broken up in consequence of the discharge of so many men in the next six months.

2. Brevet Major General George Crook's report of the coming in of 800 hostile Indians, &c., dated headquarters district of the lakes, Camp Warner, Oregon, August 22, 1868, with enclosures.

a. Report of scout, by Brevet Lieutenant Colonel E. M. Baker, captain 1st cavalry; dated headquarters in the field, Camp Warner, Oregon, August 19, 1868.

3. Bancroft's map of California, Nevada, Utah, and Arizona, 1868.

4. Bancroft's map of Oregon, Washington, Idaho, Montana, and British Columbia, 1868.

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#### REPORT OF BREVET MAJOR GENERAL E. O. C. ORD.

HEADQUARTERS DEPARTMENT OF CALIFORNIA,  
*San Francisco, California, September 27, 1868.*

I have the honor to report the condition of, and operations in, my department since assuming command. Upon my arrival I found the troops distributed to the posts named in the accompanying roster marked A.

The present distribution will show little change, and is found in the enclosure marked B, to which your attention is respectfully invited.

The only change of troops that has occurred, under order of previous commander, is that directed in General Orders No. 39 of this department, dated October 31, 1866; copy order enclosed, marked C.

The change of troops occurring under my orders is directed and provided for in paragraphs 3, 4, 5, and 6, of Special Orders No. 132, current series, from these headquarters, enclosed and marked D, and in paragraph 6, Special Orders 159, current series, from these headquarters, enclosed and marked E.

In Nevada the posts have been necessarily of a temporary nature, and in consequence the troops are not as comfortable as they should be.

In Arizona the men have been occupied in pursuit of the Indians, scouting, and on escort duty. They have been but in few cases able to build quarters; at some of the forts the troops are yet living in tents, or under earthen roofs and mud walls. Timber is so scarce in many parts of the State of Nevada, and in Arizona Territory, that at some posts it has been at times impossible to procure a sufficient number of boards to make coffins for the dead.

The consequence of these discomforts, and the want of vegetables, is many desertions, especially from the posts when commanders were careless of the comfort of their men, and failed to make use of such means as the country afforded in providing for them such necessities as vegetable gardens, airy rooms, though built of adobes, and plenty of good water. Every effort has been made by me to remedy these wants, and some additional expense incurred which will, by increasing the comfort of the troops in quarters, diminish the number of desertions, and make them more healthy and efficient in the field. At one post inspected by me I found that its garrison of 86 men had lost 54 men by desertion, and every deserter had carried off a good horse and repeating rifle, worth together from \$150 to \$300 at the post. These horses and arms are generally sold to the citizens in the vicinity for half or a third of their value, so that the citizen finds more profit in encouraging desertion by buying the deserter's arms, horse, and clothing than in arresting him for the small reward of about \$20 in gold. Commanding officers would prosecute such citizens in many cases if they were authorized to employ

counsel, for there is scarcely ever in the vicinity of such remote posts a United States district attorney, or other person to act as such.

I would recommend as some preventive to this wholesale purchase of deserters' clothing, arms, and horses, that whenever a citizen, or soldier returned a deserter, or his horse, arms or clothing, the person making the return should be paid the value of such articles as might be returned, and the actual cost of apprehension in addition to the \$30 now paid, all of which money should be paid on delivery of the man or his property, and upon a certificate to that effect from the officer to whom he or it may be delivered; at present many officers refuse to give the certificate of delivery until the man is convicted, which acts as a bar to the zeal of persons who might be otherwise disposed to arrest deserters.

Between the dates of April 1 and August 31, 1868, there has been reported 46 scouts made at posts in the Apache country and among the hostile Indians of Nevada, with an aggregate distance travelled of more than 10,000 miles.

The following is a synopsis of these scouts and the results:

Three from Camp Grant, through the Gila River valley.

Seven from Camp McDowell, ranging over the country known as the Tonto Basin and its vicinity; a region hitherto unexplored.

Five parties have scoured the country in the vicinity of Camp Reno, a new post in the sub-district, commanded by General A. J. Alexander, who has kept his troops busy against the Pinal Apaches.

One from Camp Lincoln, and two from Camp McPherson.

Five from Camp Whipple, situated near Prescott, which have kept the hostile Indians of that region on the defensive and have done excellent service under the direction of General Devin, whose zeal and activity have elicited a commendation in general orders. From Camps Wallen and Goodwin each, one; from Camp Crittenden, two; and Camp Lowell, near Tucson, two; these all in southern Arizona; from Camps Inojaro and Willow grove, in the Hualpais country, each one; one from Churchill barracks, in Nevada, to Long valley, Pyramid Lake, and Fish springs.

Two from Camp McDermitt, Nevada, over Stein's and Santa Rosa mountains, the Chico road to Honey Lake valley and vicinity.

Five from Camp Winfield Scott, commanded by Lieutenant Kargé, ranging through about the same country, including Paradise and the Humboldt, Owyhee, and Irwin's River valleys.

One from Camp Halleck to the headwaters of the Humboldt river and Bishop creek.

Two from Camp Bidwell to the northeast of this camp, and south through Surprise valley.

Two from Camp Gaston through the Klamath and Humboldt country, Pilot creek, and Mad river.

From Camp Lincoln, California, one, over and along the Klamath bluffs.

The results of the operations of the parties above enumerated are, 30 Indians killed, 7 taken prisoners, and but 1 wounded of which we know; the number wounded in proportion to the killed is probably much greater, which results show a marked improvement on the results of scouts of the preceeding six months.

The report of General Devin, marked F, shows that efforts to keep the Apaches on the defensive are the best preventive against offensive incursions and depredations upon the farmer and miner.

Several Indian prisoners have escaped from commands in the Indian country, because when troops are in the field or in camps the facilities for closely confining the prisoners do not exist, and it is impossible during dark and stormy nights, and after the sentinels have become

familiar with the prisoners, to insure continual watchfulness, so that the alert and desperate Apache, who will risk his life in the attempt to escape rather than pine in long confinement, generally succeeds.

I would suggest that some garrisoned island on this coast be selected to which Indian prisoners of war might be sent, and from which they would not attempt to escape; at present the superintendents of reservations refuse to receive them, and there is no provision for their support in the army, and the troops who capture are too much occupied, or have not facilities for guarding them.

The chief quartermaster of this department, an officer of much experience, and a strict economist, recommends, and I endorse the recommendation, that the department and post commanders in this department should have some discretion allowed them in the matter of employing citizens in lieu of soldiers in the quartermasters' service, especially as teamsters, for the reason that long journeys have to be made by government teams over uninhabited and difficult regions, where judgment and knowledge of the diseases and treatment of animals is requisite; and during such journeys many valuable animals are lost for want of this judgment and knowledge; that very few enlisted men have it at all; that the pay allowed them, when detailed as teamsters, (20 cents a day in currency,) does not repay them for the additional clothing they wear out; and another result of placing unfit and unfaithful soldiers in charge of valuable animals and property, is that when the opportunity occurs they steal or sell the property, mount the best animals and desert to Mexico, Salt Lake, or to some place where they defy pursuit.

General Kirkham estimates that the losses incurred from ignorance, carelessness, and desertions of soldiers detailed as teamsters, have amounted to more than double the moneys that would have paid the wages of reliable citizens, besides the companies in the field (now none too large) are deprived of the service of all men detailed.

I forward herewith, for reference, General Kirkham's report on this subject, marked G.

I am, sir, respectfully, your obedient servant,

E. O. C. ORD,

*Breret Major and Brigadier General Commanding.*

ADJUTANT GENERAL U. S. ARMY,

*Washington, D. C.*

HEADQUARTERS MILITARY DIVISION PACIFIC,  
*San Francisco, California, October 2, 1868.*

Respectfully forwarded to the Adjutant General of the army. I do not concur in the opinion of General Ord that post commanders should have authority to employ civilians as teamsters at their discretion. I think that at posts where little or no scouting is required, and where supplies are all delivered by contract, the enlisted men should be required to do all the ordinary post teaming. This was always required before the war, and I see no good reason why it should not be now.

Nor do I think with General Ord that the want of better quarters has been the principal cause of desertions, as the largest number of deserters have been from companies which were well quartered. The real cause has been in the characters of the officers and the want of adequate punishments.

H. W. HALLECK,

*Major General Commanding.*

DEPARTMENT STAFF.

Major J. P. Sherburne, assistant adjutant general, brevet colonel United States army; First Lieutenant H. G. Brown, 36th infantry, aide-de-camp, brevet major United States army; Second Lieutenant A. W. Preston, 8th cavalry, aide-de-camp; Captain E. R. Platt, 2d artillery, judge advocate, brevet lieutenant colonel United States army; Lieutenant Colonel R. W. Kirkham, deputy quartermaster general, chief quartermaster, brevet brigadier general United States army; Captain J. T. Hoyt, assistant quartermaster United States army; Captain S. A. Foster, commissary subsistence, chief commissary subsistence, brevet major United States army; Surgeon Charles McCormick, medical director, brevet lieutenant colonel United States army; Surgeon Charles C. Keeney, attending surgeon, brevet lieutenant colonel United States army; Colonel W. Seawell, commissary of musters and superintendent of recruiting service, brevet brigadier general United States army.

Station.	Commanding officer.	Troops.
Benicia arsenal, California.....	Maj. J. McAllister, brevet col. U. S. A.....	Ordnance U. S. A.
Presidio, San Francisco, California.....	Capt. J. G. Ramsay, 2d art.....	H'd q'rs and light batteries A M, 2d art.
Fort Point, San Francisco, California.....	First Lieut. T. D. Maurice, 2d art.....	Detachment from Presido.
San José Point, San Francisco, California.....	First Lieut. W. P. Vose, 2d art., brevet capt. U. S. A.....	Company D, 2d art., and brigade band.
Alcatraz island, San Francisco, California.....	Capt. J. M. Robertson, 2d art., brevet brig. gen. U. S. A.....	Companies B and G, 2d art.
Angel island, San Francisco, California.....	Col. J. H. King, 9th inf., brevet maj. gen. U. S. A.....	Headquarters 9th inf., and recruits.
Drum barracks, California.....	First Lieut. A. Morton, reg'l q. m., 9th inf.....	Detachment company K, 14th inf.
Camp Wright, California.....	First Lieut. G. R. Griffith, 9th inf.....	Company A, 9th inf.
Camp Independence, California.....	Capt. J. D. Devin, 9th inf., brevet lieut. col. U. S. A.....	Company B, 9th inf.
Camp Gaston, California.....	Capt. E. Pollock, 9th inf.....	Companies E and K, 9th inf.
Camp Lincoln, California.....	Capt. W. E. Appleton, 9th inf.....	Company G, 9th inf.
Camp Bidwell, California.....	Capt. R. H. Chapin, 8th cav., brevet maj. U. S. A.....	Companies C, 9th inf., G, 8th cav.
Fort Crook, California.....	First Lieut. T. W. Gibson, 8th cav.....	Detachment from Camp Bidwell.
Camp McGarry, Nevada.....	Capt. J. A. Hall, 1st cav.....	Company B, 1st cav.
Camp McDermitt, Nevada.....	Capt. J. N. McElroy, 8th cav., brevet lieut. col. U. S. A.....	Companies M, 8th cav., L, 1st cav.
Camp Winfield Scott, Nevada.....	First Lieut. J. Karge, 8th cav.....	Company A, 8th cav.
Camp Halleck, Nevada.....	Capt. S. P. Smith, 8th cav.....	Company H, 8th cav.
Camp Ruby, Nevada.....	Capt. T. Connelly, 9th inf.....	Company I, 9th inf.
Fort Churchill, Nevada.....	Col. J. I. Gregg, 8th cav., brevet brig. gen. U. S. A.....	Headquarters 8th cav., and Co. H, 9th inf.
Fort Yuma, California.....	Col. C. S. Lovell, 14th inf., brevet brig. gen. U. S. A.....	Headquarters and company A, 14th inf.
Camp Cadiz, California.....	First Lieut. M. Eyre, 14th inf.....	Company K, 14th inf.
Camp Mojave, Arizona Territory.....	Maj. W. R. Price, 8th cav., brevet lieut. col. U. S. A.....	Companies K, 8th cav., D, 9th inf.
Camp at Willow Grove, Arizona Territory.....	Capt. G. R. Vernon, 14th inf.....	Company E, 14th inf.
Camp Whipple, Arizona Territory.....	Lieut. Col. T. C. Devin, 8th cav., brevet brig. gen. U. S. A.....	Companies B and L, 8th cav.



## A.—Distribution of troops serving in the department of California.—Continued.

Station.	Commanding officer.	Troops.
Camp Lincoln, Arizona Territory .....	Capt. D. Krause, 14th inf., brevet maj. U. S. A .....	Companies C and G, 14th inf.
Camp McPherson, Arizona Territory .....	Capt. J. W. Weir, 14th inf. ....	Companies H and I, 14th inf.
Camp McDowell, Arizona Territory .....	Maj. A. J. Alexander, 8th cav., brevet brig. gen. U. S. A....	Companies D, 14th inf., E, 1st cav., I, 8th cav., and Indian scouts.
Camp O'Connell, Arizona Territory, en route to Camp Reno .....	First Lieut. G. W. Chilson, 32d inf .....	Companies F, 14th inf., F, 32d inf.
Camp Lowell .....	Col. T. L. Crittenden, 32d inf., brevet brig. gen. U. S. A....	H'dquarters and detachment Co. C, 32d inf.
Camp Goodwin .....	Capt. P. Collins, 32d inf., brevet maj. U. S. A .....	Companies B, F, G, and H, 32d inf.
Camp Bowie .....	Capt. H. J. Ripley, 32d inf .....	Company D, 32d inf.
Camp Grant .....	Capt. G. Ilges, 14th inf., brevet lieut. col. U. S. A .....	Companies B, 14th inf., I, 32d inf.
Camp Wallen .....	Capt. G. M. Downey, 32d inf., brevet maj. U. S. A .....	Companies C and E, 32d inf., G, 1st cav.
Camp Crittenden .....	Maj. C. E. Norris, 1st cav. ....	Companies K, 32d inf., C and K, 1st cav.

HEADQUARTERS SAN FRANCISCO, CALIFORNIA, April 30, 1868,

JOHN P. SHERBURNE, Assistant Adjutant General.

B.—*Distribution of troops serving in the department of California, commanded by Brevet Major General E. O. C. Ord, headquarters San Francisco, California, August 31, 1868.*

## DEPARTMENT STAFF.

Brevet Colonel J. P. Sherburne, assistant adjutant general.  
 Brevet Captain A. W. Preston, second lieutenant 8th cavalry, acting assistant adjutant general.  
 Brevet Major H. G. Brown, first lieutenant 36th infantry, aide-de-camp.  
 Brevet Lieutenant Colonel E. R. Platt, captain 2d artillery, aide-de-camp, acting judge advocate.  
 Brevet Lieutenant Colonel H. W. Freedley, major 14th infantry, acting inspector general.  
 Brevet Brigadier General R. W. Kirkham, deputy quartermaster general, chief quartermaster.  
 Captain J. T. Hoyt, assistant quartermaster United States army.  
 Brevet Major S. A. Foster, commissary subsistence United States army, chief commissary subsistence.  
 Brevet Lieutenant Colonel Charles McCormick, surgeon United States army, medical director.  
 Brevet Lieutenant Colonel Charles C. Keeney, surgeon United States army, attending surgeon.  
 First Lieutenant G. M. Wheeler, corps of engineers, engineer.  
 Brevet Brigadier General W. Seawell, United States army, commissary of musters, chief of recruiting service.

Station.	Commanding officer.	Troops.
Benicia arsenal, Cal.....	Bvt. Col. J. McAllister...	Ordnance, U. S. A.
Presidio, San Francisco, Cal.....	Bvt. Col. A. C. M. Pennington, 2d artillery.	Headquarters light batteries A and M, 2d artillery.
San José Point, San Francisco, Cal.	Bvt. Captain W. P. Vose, 2d artillery.	Co. D, 2d artillery, and brigade band.
Alcatraz island, San Francisco, Cal.	Bvt. Brig. Gen. J. M. Robertson, 2d artillery.	Co. B, 2d artillery.
Angel island, San Francisco, Cal..	Bvt. Maj. Gen. J. H. King, 9th infantry.	Headquarters and Co. D, 9th infantry and recruits.
Drum barracks, Cal.....	First Lieut. A. Morton, R. I. M., 9th infantry.	Detachment Co. K, 14th infantry.
Camp Wright, Cal.....	First Lieut. G. R. Griffith, 9th infantry.	Co. A, 9th infantry.
Camp Independence, Cal.....	Bvt. Lieut. Col. J. D. Devin, 9th infantry.	Co. B, 9th infantry.
Camp Gaston, Cal.....	Capt. E. Pollock, 9th inf.	Cos. E and K, 9th inf.
Camp Lincoln, Cal.....	Capt. W. E. Appleton, 9th infantry.	Co. G, 9th infantry.
Camp Bidwell, Cal.....	Capt. S. Munson, 9th inf..	Cos. C, 9th infantry, G, 8th cavalry.
Fort Crook, Cal.....	First Lieut. J. Lafferty, 8th cavalry.	Detachment from Camp Bidwell.
Camp McGarry, Nevada.....	Capt. William Kelly, 8th cavalry.	Co. C, 8th cavalry.
Camp McDermit, Nevada.....	Bvt. Maj. D. Seward, 8th cavalry.	Cos. M and F, 8th cavalry.
Camp Winfield Scott.....	First Lieut. J. Karge, 8th cavalry.	Co. A, 8th cavalry.
Camp Halleck, Nevada.....	Capt. S. P. Smith, 8th cavalry.	Cos. D and H, 8th cavalry.
Camp Ruby, Nevada.....	Capt. T. Connelly, 9th inf.	Co. I, 9th infantry.
Churchill barracks, Nevada.....	Bvt. Brig. Gen. J. I. Gregg, 8th cavalry.	Headquarters 8th cav. and co. H, 9th infantry.
Fort Yuma, Cal.....	Bvt. Brig. Gen. C. S. Lovell, 14th infantry.	Headquarters and co. A, 14th infantry.
Camp Cady, Cal.....	First Lieut. J. Drum, 14th infantry.	Co. K, 14th infantry.
Camp Mojave, A. T.....	Bvt. Lieut. Col. W. R. Price, 8th cavalry.	Co. E, 14th infantry.
Camp at Willow Grove, A. T.....	Capt. C. H. Lester, 8th cavalry.	Cos. E and K, 8th cavalry.

B.—*Distribution of troops serving in the department of California.*—Continued.

Station.	Commanding officer.	Troops.
Camp Whipple, A. T. ....	Bvt. Brig. Gen. T. C. Devin, 8th cavalry.	Cos. B and L, 8th cavalry.
Camp Lincoln, A. T. ....	Major D. R. Clendenin, 8th cavalry.	Cos. C and G, 14th infantry
Camp McPherson, A. T. ....	Capt. J. W. Weir, 14th infantry.	Cos. H and I, 14th infantry.
Camp McDowell, A. T. ....	Bvt. Brig. Gen. A. J. Alexander, 8th cavalry.	Cos. D, 14th inf., E, 1st cav., I, 8th cav., and Indian scouts.
Tonto valley, A. T., ( <i>en route to Camp Reno.</i> )	First Lieut. G. W. Chil-son, 32d infantry.	Cos. F, 14th infantry and A, 32d infantry.
Camp Lowell, A. T. ....	Bvt. Brig. Gen. T. L. Crittenden, 32d infantry.	Headquarters and co's E, 32d infantry, G, 1st cav.
Camp Goodwin, A. T. ....	Bvt. Lieut. Col. R. F. O'Beirne, 32d infantry.	Cos. B, F, G, 32d infantry.
Camp Bowie, A. T. ....	Capt. H. J. Ripley, 32d infantry.	Co. D, 32d infantry.
Camp Grant, A. T. ....	Bvt. Lieut. Col. G. Ilges, 14th infantry.	Cos. B, 14th infantry, H and I, 32d infantry.
Camp Wallen, A. T. ....	Bvt. Major G. M. Downey, 32d infantry.	Co. C, 32d infantry.
Camp Crittenden, A. T. ....	Capt. S. G. Whipple, 32d infantry.	Cos. K, 32d infantry, C and K, 1st cavalry.

JOHN P. SHERBURNE,  
*Assistant Adjutant General.*

Official :

A. W. PRESTON,  
*Bvt. Capt. U. S. A., Second Lieut. 8th Cav., A. A. A. G.*

## C.

[General Orders No. 39.]

HEADQUARTERS DEPARTMENT OF CALIFORNIA,  
*San Francisco, California, October 31, 1866.*

I. The troops heretofore at Fort Grant, and since the flood there at the site of old Fort Breckenridge, will be withdrawn at those places, and the stations there abandoned. The public property and stores will be sent, under the direction of the district commander, to such other stations as may be best for the service. The troops will be sent to Fort McDowell, and thence will proceed to establish themselves, as soon as practicable, at the most eligible point beyond the Sierra Ancha, in what has been called Meadow valley, about 85 miles northeast from Fort McDowell. This place is reported to have good water, an abundance of grass, oak and pine wood, and some arable land. It is in the midst of the hostile Apaches, and is at present inaccessible to wagons. The district commander is specially charged with the duty of seeing that timely supplies of quartermaster's, subsistence, and medical stores and ordnance are sent to Fort McDowell, and afterwards to the new post for this command.

II. Preliminary to establishing themselves as above the companies will proceed to make a good trail from Fort McDowell to their new station, to be improved as far and as soon as possible into a wagon road.

III. The huts and shelters at the camp will be made by the labor of

the enlisted men from the materials at hand, and in the following order, viz:

First. The shelter huts for the men and company laundresses, including the mess rooms; nothing else in the way of building to be commenced until they are occupied and finished.

Second. Shelter hospital.

Third. Shelter store-houses.

Fourth. Shelter huts for officers.

Fifth. Shelters for horses.

Dimensions of the huts for officers will be furnished the commanding officer by Colonel Babbitt, and these dimensions will not be exceeded.

IV. Whilst working more than 10 days continuously on the trail and wagon road, and on the huts and shelters at the standing camp for themselves and their supplies, the enlisted men will be allowed the extra pay provided by the act approved July 13, 1866. Care will be taken to see that the provisions of that act are fully complied with.

V. Monthly reports of progress on the road and buildings at the camp will be made to department headquarters through those of the district.

VI. The name of the camp ordered above will be Camp Reno.

By command of Brevet Major General McDowell:

E. R. PLATT,

*Acting Assistant Adjutant General.*

Official:

A. W. PRESTON,

*Bvt. Capt. U. S. A., Second Lieut. 8th U. S. Cav., A. A. A. G.*

#### D.

[Special Orders No. 132.]

HEADQUARTERS DEPARTMENT OF CALIFORNIA,

*San Francisco, California, August 20, 1868.*

I. The men of the detachment of recruits of 8th United States cavalry, now on Angel island, California, deducting such men as may have been already assigned, will be distributed by lot among the companies named below, giving each company the number of men set opposite the letter thereof. Before making the allotment a separate list of the blacksmiths, carpenters, tailors, masons, and clerks will be made out, and they will be assigned separately to the companies in proportion to the number of recruits required by each.

II. As provided above the following named companies require the proportion of 224 recruits set opposite their letter:

Company A.....	34
Company B.....	22
Company C.....	2
Company D.....	28
Company E.....	11
Company F.....	8
Company G.....	28
Company H.....	11
Company I.....	21
Company K.....	27
Company L.....	12
Company M.....	20

III. The post commander at Camp McGarry, Nevada, will leave a commissioned officer and 20 men at that place, and take post with the remainder of his company at Camp Winfield Scott, proceeding by the most available route, and carrying a full supply of forage and rations for the journey.

IV. Upon arrival at his new post he will at once commence the erection of good stone or adobe quarters, with shingle roof and board floors, for his whole company and the company now at post, finishing the men's quarters first, with at least 400 cubic feet of space to the man. The buildings to be well lighted and ventilated, and the walls to be plastered and whitewashed; after which the stables, officers' quarters, and store-houses can be completed in the order named. Adobe buildings should have stone foundations, and their roofs project at least five feet beyond the wall. For this purpose the post commander will direct the post quartermaster to make contract for 100,000 shingles and 50,000 feet of lumber, and employ four good mechanics, besides two men to build adobes; to make requisition at once for tools, nails, glass, sash, and such other materials as he may require. Stable rooms should be built of adobe, and the rafters for the roofing cut in the vicinity of the post, if possible. The detachment commander at Camp McGarry will receipt for such property as may be left at the post, and turn over the forage and stores left on hand at the post which may not be needed, except for his detachment, to the acting assistant quartermaster and acting commissary of subsistence at Camp C. F. Smith, who will send for them.

V. All means of transportation at Camp McGarry, except such as may be necessary for the maintenance of the detachment left at the post, and such quartermaster, commissary, and other stores as troop C may require, will be at the service of that troop to carry out this order.

VI. A list of supplies, of both quartermaster and commissary, on hand at Camp Winfield Scott, per last return, will be sent with the stores to the commanding officer of the troops ordered to that post.

VII. The quartermasters' department will furnish transportation for Private Thomas Smith, battery D, 2d United States artillery, to the Soldiers' Home, Washington, D. C., he having served more than 20 consecutive years in the army.

VIII. The officer remaining at Camp McGarry is hereby directed to authorize the contractor for commissary hay to put up a sufficient quantity of feed for the cattle required for 25 men for the coming winter.

IX. The commanding officer of the troops moving from Camp McGarry to Camp Winfield Scott is authorized to drive with him such beef cattle as he may require on the journey, and for three months after arriving at his post, provided he can do so conveniently.

By command of Brevet Major General Ord:

JOHN P. SHERBURNE,  
*Assistant Adjutant General.*

Official:

A. W. PRESTON,  
*Bvt. Capt. U. S. A., Second Lieut. 8th U. S. Cav., A. A. A. G.*

*Stations of troops by companies in department of California.*

Regiment.	Comp'y.	Station.
<i>Ordnance United States army, Benicia arsenal, Benicia, Cal.</i>		
1st cavalry, headquarters in department of Columbia.	C	Camp Crittenden, Arizona Territory.
	E	Camp McDowell, Arizona Territory.
	G	Camp Lowell, Arizona Territory.
	K	Camp Crittenden, Arizona Territory.
8th cavalry, headquarters at Churchill barracks, Nevada.	A	Camp Winfield Scott, Nevada.
	B	Camp Whipple, Arizona Territory.
	C	Camp McGarry, Nevada.
	D	Camp Halleck, Nevada.
	E	Camp Willow Grove, Arizona Territory.
	F	Camp McDermit, Nevada.
	G	Camp Bidwell, California.
	H	Camp Halleck, Nevada.
	I	Camp McDowell, Arizona Territory.
	K	Camp Willow Grove, Arizona Territory.
	L	Camp Whipple, Arizona Territory.
2d artillery, headquarters at Presidio, San Francisco, California.	M	Camp McDermit, Nevada.
	A	Presidio, San Francisco, California, (light.)
	B	Alcatraz island, San Francisco, California.
	D	Point San José, San Francisco, California.
	M	Presidio, San Francisco, California, (light.)
9th infantry, headquarters at Angel island, California.	A	Camp Wright, California.
	B	Camp Independence, California.
	C	Camp Bidwell, California.
	D	Angel island, California.
	E	Camp Gaston, California.
	G	Camp Lincoln, California.
	H	Churchill barracks, Nevada.
	I	Camp Ruby, Nevada.
	K	Camp Gaston, California.
	A	Fort Yuma, California.
14th infantry, headquarters at Fort Yuma, California.	B	Camp Grant, Arizona Territory.
	C	Camp Lincoln, Arizona Territory.
	D	Camp McDowell, Arizona Territory.
	E	Camp Mojave, Arizona Territory.
	F	Tonto valley, ( <i>en route</i> to Camp Reno, A. T.)
	G	Camp Lincoln, Arizona Territory.
	H	Camp McPherson, Arizona Territory.
	I	Do. do.
	K	Camp Cady, California.
	A	Tonto valley, ( <i>en route</i> to Camp Reno, A. T.)
32d infantry, headquarters at Camp Lowell, Arizona Territory.	B	Camp Goodwin, Arizona Territory.
	C	Camp Wallen, Arizona Territory.
	D	Camp Bowie, Arizona Territory.
	E	Camp Lowell, Arizona Territory.
	F	Camp Goodwin, Arizona Territory.
	G	Do. do.
	H	Camp Grant, Arizona Territory.
	I	Do. do.
	K	Camp Crittenden, Arizona Territory.
	B	Camp McGarry, Nevada.
1st cavalry, headquarters in department of Columbia.	C	Camp Crittenden, Arizona Territory.
	E	Camp McDowell, Arizona Territory.
	G	Camp Wallen, Arizona Territory.
	K	Camp Crittenden, Arizona Territory.
	L	Camp McDermit, Nevada.
5th cavalry, headquarters at Fort Churchill, Nevada.	A	Camp Winfield Scott, Nevada.
	B	Camp Whipple, Arizona Territory.
	G	Camp Bidwell, California.
	H	Camp Halleck, Nevada.
	I	Camp McDowell, Arizona Territory.

*Statement of troops by companies, &c.—Continued.*

Regiment.	Comp'y.	Station.
8th cavalry—Continued .....	K	Camp Mojave, Arizona Territory.
	L	Camp Whipple, Arizona Territory.
	M	Camp McDermitt, Nevada.
2d artillery, headquarters at Presidio, San Francisco, Cal.	A	Presidio, San Francisco, Cal., (light.)
	B	Alcatraz island, San Francisco, Cal.
	D	Point San José, San Francisco, Cal.
	G	Alcatraz island, San Francisco, Cal.
	M	Presidio, San Francisco, Cal., (light.)
9th infantry, headquarters at Angel island, Cal.	A	Camp Wright, California.
	B	Camp Independence, California.
	C	Camp Bidwell, California.
	D	Camp Mojave, Arizona Territory.
	E	Camp Gaston, California.
	G	Camp Lincoln, California.
	H	Fort Churchill, Nevada.
	I	Camp Ruby, Nevada.
	K	Camp Gaston, California.
14th infantry, headquarters at Fort Yuma, Cal.	A	Fort Yuma, California.
	B	Camp Grant, Arizona Territory.
	C	Camp Lincoln, Arizona Territory.
	D	Camp McDowell, Arizona Territory.
	E	Camp at Willow Grove, Arizona Territory.
	F	Camp O'Connell, ( <i>en route</i> to Camp Reno, A. T.)
	G	Camp Lincoln, Arizona Territory.
	H	Camp McPherson, Arizona Territory.
	I	do. do.
	K	Camp Cady, California.
32d infantry, headquarters at Camp Lowell, Arizona Ter- ritory.	A	Camp O'Connell, ( <i>en route</i> to Camp Reno, A. T.)
	B	Camp Goodwin, Arizona Territory.
	C	Camp Wallen, Arizona Territory.
	D	Camp Bowie, Arizona Territory.
	E	Camp Wallen, Arizona Territory.
	F	Camp Goodwin, Arizona Territory.
	G	Camp Goodwin, Arizona Territory.
	H	Camp Goodwin, Arizona Territory.
	I	Camp Grant, Arizona Territory.
	K	Camp Chittenden, Arizona Territory.

Official :

A. W. PRESTON,  
Brevet Captain U. S. A., 2d Lieutenant 8th Cavalry, A. A. A. G.

OFFICE CHIEF QUARTERMASTER, DEPT OF CALIFORNIA,  
San Francisco, California, September 30, 1868.

SIR: I have the honor to submit the following communication on the subject of the employment of citizen teamsters instead of enlisted men in this department. Instructions from division headquarters to the department commander, dated February 4, 1868, directs that "when posts are supplied by contracts, no civilians be employed."

In obedience to these instructions, the following posts have citizen teamsters, with monthly rates of pay set opposite each :

Camp Crook, California, 1 teamster at \$35, coin.

Wilmington, California, 20 teamsters at \$35, coin, and 14 at \$45, coin.

Camp Cady, California, 3 teamsters at \$35, coin.

Tenna Depot, California, 33 teamsters at \$45, coin.

Camp Halleck, California, 1 teamster at \$35, coin.

Camp Mojave, California, 22 teamsters at \$45, coin.  
 Camp Whipple, California, 5 teamsters at \$35, coin.  
 Tucson Depot, California, 5 teamsters at \$35, coin.  
 Total, 104 teamsters.

The following posts have teamsters detailed from the enlisted men, who receive 20 cents per day, legal tender:

Point San José, California, 1 teamster,  
 Presidio, S. F., California, 6 teamsters.  
 Angel Island, California, 3 teamsters.  
 Alcatraz Island, California, 1 teamster.  
 Camp Wright, California, 2 teamsters.  
 Camp Gaston, California, 3 teamsters.  
 Camp Lincoln, California, 1 teamster.  
 Camp Crook, California, 1 teamster.  
 Camp Bidwell, California, 9 teamsters.  
 Wilmington, California, 2 teamsters.  
 Camp Cady, California, 4 teamsters.  
 Camp Independence, California, 2 teamsters.  
 Fort Churchill, Nevada, 7 teamsters.  
 Camp Ruby, Nevada, 3 teamsters.  
 Camp McDermitt, Nevada, 5 teamsters.  
 Camp Winfield Scott, Nevada, — teamsters.  
 Camp Halleck, Nevada, 4 teamsters.  
 Camp Willow Grove, Arizona Territory, 1 teamster.  
 Camp Whipple, Arizona Territory, 6 teamsters.  
 Camp Lincoln, Arizona Territory, 1 teamster.  
 Camp McPherson, Arizona Territory, 1 teamster.  
 Camp McDowell, Arizona Territory, 6 teamsters.  
 Camp Reno, Arizona Territory, 1 teamster.  
 Tucson Depot, Arizona Territory, 8 teamsters.  
 Camp Goodwin, Arizona Territory, — teamsters.  
 Camp Wallen, Arizona Territory, — teamsters.  
 Camp Crittenden, Arizona Territory, 8 teamsters.  
 Camp Bowie, Arizona Territory, 4 teamsters.  
 Camp Grant, Arizona Territory, 4 teamsters.

The order was undoubtedly intended as an economical measure, but I am satisfied, upon a careful review of its workings, that, although it may appear at first sight a great source of economy, it is really otherwise. A soldier detailed on extra duty gets 20 cents in legal tender per day extra pay. The citizen gets from \$35 to \$45 per month, in coin. Where is the economy in favor of the latter? I claim in this: the citizen is hired as a teamster, because that is his business, and he understands it, while the soldier, in nine cases out of ten, knows little or nothing of it, and often performs the duty, not because he likes it, but because he is detailed and ordered to it; therefore he does it unwillingly. The consequence is, the mules are driven by unskilful hands; they are beaten unnecessarily; they are broken down; the harness is seldom in good order; the wagons are frequently overturned and broken; the forage issued is not fed, but sold, and often the teamster, when on detached service, will dispose of some of the property in his charge, and desert, taking one or two of his best mules. These are facts of frequent occurrence.

A six-mule team, complete, is worth, on this coast, not less than \$1,500, coin. The average cost of forage, which ranges from  $1\frac{1}{2}$  to  $8\frac{1}{2}$  cents per pound for grain, and from \$11 to \$60 per ton for hay, is 70 cents coin per day, for each animal, or \$126 per month for a six-mule team. Again, most citizen teamsters on this coast have a knowledge of the ordinary



diseases and ailings of mules, and can apply proper remedies, while many mules die with soldiers for teamsters, who take little or no interest in mules, whether sick or well. Taking these losses, which arise from facts above stated, with the loss of military services of the teamsters, and the number of desertions among this class, I think the department would be largely the gainer, if in most cases, at our frontier posts, civilians were employed. It is only necessary to contrast by ocular demonstration the condition of the teams of those posts where citizens are allowed with those where soldiers are detailed, to convince any one of the truth of my statements. I would, therefore, respectfully recommend a modification of the division instructions referred to, and that citizen teamsters be allowed at the following named posts, in numbers set opposite each; the rate of pay to be \$35, coin, per month, with one ration in kind, each:

Camp Bidwell, 4 teamsters.

Camp Independence, 2 teamsters.

Camp Churchill, 2 teamsters.

Camp McDermit, 4 teamsters.

Camp Winfield Scott, 4 teamsters.

Camp Halleck, 4 teamsters.

Camp W. Grove, 2 teamsters.

Camp Lincoln, Arizona Territory, 4 teamsters.

Camp McPherson, Arizona Territory, 4 teamsters.

Camp McDowell, Arizona Territory, 6 teamsters.

Camp Goodwin, Arizona Territory, 6 teamsters.

Camp Waller, Arizona Territory, 2 teamsters.

Camp Crittenden, Arizona Territory, 6 teamsters.

Camp Bowie, Arizona Territory, 2 teamsters.

Camp Grant, Arizona Territory, 6 teamsters.

The cost of this would be \$2,000 in coin per month, which would, in my opinion, be more than saved to the department in the condition and efficiency of the transportation, besides adding a large number of enlisted men to the military service of the posts.

Very respectfully, your obedient servant,

R. W. KIRKHAM,

*Deputy Quartermaster General.*

Brevet Colonel JOHN P. SHERBURNE,

*A. A. G., Dep't of California, San Francisco, Cal.*

E.

[Special Orders No. 159.]

HEADQUARTERS DEPARTMENT OF CALIFORNIA,  
*San Francisco, California, September 19, 1868.*

I. Brevet Colonel J. P. Sherburne, United States army, will proceed with as little delay as practicable, via Fort Churchill, to Camp Ruby, Nevada; thence to Camp McDermit, Nevada, on special duty. He will receive directions from the department commander, which will govern him. On the completion of the duty assigned him he will return to these headquarters.

II. First Lieutenant George M. Wheeler, United States engineers, will proceed to the following posts in this department, viz: Camp Halleck, Camp Winfield Scott, and Fort Churchill, making a careful survey and plan of the military reservation of each, according to the limits known

at the post, or according to maps which may be found. When there is no data upon which to make a survey, Lieutenant Wheeler will confer with the post commander as to the amount, and limits of the ground required for the use of the government, including enough for wood, where there is any, for gardens and for grazing, if the ground near is fit for it. The reservation will not exceed in extent three miles square, or be less than one mile square in any case. Upon completion of this duty Lieutenant Wheeler will return to San Francisco, and report to the department commander.

III. The chief quartermaster will turn over to Lieutenant Wheeler such funds as may be necessary to pay for the transportation of his party, and post commanders will give him such aid as he may require in the way of transportation, forage, and rations, details of enlisted men, and camp and garrison equipage, that he may be enabled to carry out this order.

IV. The leave of absence granted Brevet Major Frederick Mears, captain 9th infantry, in Orders No. 86, current series from headquarters, Fort Churchill, Nevada, and extended in Special Orders No. 145, current series, from these headquarters, is hereby further extended to include Wednesday, the 23d instant.

V. Upon completion of the duty at Wilmington, California, assigned him by his sub-district commander, 2d Lieutenant Alexander Grant, 1st cavalry, will report in person to the department commander at San Francisco, California.

VI. As soon as the stores now at Camp McGarry can be sent to Camp C. F. Smith, Oregon, First Lieutenant William McCleare will, with his detachment now garrisoning Camp McGarry, proceed to join his company at Camp Winfield Scott. He will take with him such beef-cattle as he may have on hand, which has been intended for the winter supply of the first named garrison.

By command of Brevet Major General Ord:

JOHN P. SHERBURNE,

*Assistant Adjutant General.*

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#### REPORT OF BREVET BRIGADIER GENERAL THOMAS C. DEVIN.

HEADQUARTERS SUB-DISTRICT OF PRESCOTT,

*Fort Whipple, A. T., June 12, 1868.*

COLONEL: I have the honor to report my return from a 45 days' scout into the Apache country, to the east of this post, in pursuance of instructions from headquarters district of Arizona, directing me to move with my available force in a southeast course from Camp Lincoln towards Goodwin, and as far as the head-waters of the San Carlos, on which I would find the hostile Pinal Apaches, who now appeared disposed to fight, and give us a favorable opportunity to punish them. No operative movements would be made from other points.

The above instructions were received at this post April 25, and at the time my largest cavalry company was on a 15 days' scout in the Havenna mountains, 100 miles westward. On the morning of the 26th I started my wagons with 30 days' rations, and company B, 8th cavalry, en route for the Rio Verde. On the 28th company L returned from its scout, and I at once followed with that command. On the 30th I left Camp Lincoln with the troops, and my pack train of 60 mules, carrying 30 days' rations, and crossing Clear creek six miles from its mouth, ascended the Magol-

lon mountains, (erroneously called the "High Mesa.") My force consisted of one hundred (100) cavalry, and fifty (50) infantry, and the four guides from the district posts.

Crossing the divide to the southern crest of the mountain, I descended into Tonto basin near the head of the East Fork of the Verde, at a point where the mountain rises about 2,500 feet above the basin. The first 500 feet being nearly a perpendicular cliff, I was obliged to cut a zigzag path down the face, after which the breaking of a trail was comparatively easy. The same night my camp was fired into by Indians, killing one horse. At midnight, company L, with a guide, was sent out to look for "smokes" seen from the mountain. As the column pushed on, detachments were sent out from the front and right flank to scour the country. Many rancherias were found, but all had been abandoned—some of them quite lately, others for months.

On reaching the main fork of Tonto creek, a number of small farms were found, just prepared for planting, ground hoed, &c., but no crops yet in. The Indians had evidently left in haste fleeing southward. At this point I found that from the appearance of the country and probable obstacles in front, I would not be able to reach the San Carlos, and return with the rations on hand. Before starting I had been assured that the pack animals would carry 250 pounds anywhere the cavalry could go. This I found to be an error, as they could not average 200 pounds, and with that could not make over 10 miles a day in a mountain country. In endeavoring to accomplish even that several gave out, others were killed falling over precipices, and some of the rations were lost. The work was also telling on my cavalry horses. I therefore selected a camp on the head of Tonto creek, and sending my pack train back to Camp Lincoln for 20 days' rations, I occupied the interval in scouting with mounted and dismounted parties the country between the Salinas and the Magallanes. On the return of the train, I, for the second time, attempted to push my way southward, but was again repelled by impassable cañons. I finally succeeded in crossing the Salinas at a point where the banks rise nearly to the height of 1,000 feet, and are very steep. Other crossings were afterward found, and the troops crossed and recrossed the Salinas at four different points between its source and the Big Bend, while operating in the basin. During one of the scouts one rancheria was found inhabited, and four Indians were killed while escaping across the river. On another occasion a party exploring a trail to the San Carlos were ambushed, but the Indians were repulsed; two fell, but were carried off by their comrades; one soldier and two animals were wounded. The pack-train while on its return for the rations was ambushed near the top of the "jump-off" I had constructed down the mountain, and the pack-master, Mr. Baker, was killed. The Indians fled before the troops could reach the summit, though they dashed forward with all the speed the steep ascent would admit.

The section of country north and west of the Salinas having been pretty well scouted, I encamped on one of the east forks of the Salinas, and taking 60 cavalry, all that I had left that were serviceable for a hard march, I pushed on to the San Carlos, which stream I reached after crossing three of its forks. The character of the country here is widely different from that west of the Salinas, the mountains easier of access, and the divides easier crossed. The scenery is very beautiful, land fertile, and river bottoms wide and filled with nutritious grasses, but no signs of recent occupation by Indians, as far as could be seen. A well beaten trail from the southwest, on which the tracks of women and children were very evident, led towards the head of the Little Colorado, or valley of the Prieta, and showed that their families had been moved east,

but the shoes of my horses were worn out, and many of the men's likewise. I had but rations enough to carry me back at a much faster rate than I had advanced, and from the highest peak not an Indian "smoke" could be seen. I had with difficulty, and through a country hitherto unknown, and intersected in every direction by impassable cañons, penetrated to the point designated by my orders. I had four of the best guides in the Territory, though none of them had ever been in this section previously, (nor could I find or hear of any one who had,) but all were excellent mountain men, and brave and expert in following Indian trails, but I could not get a fight. The Indians have (with the exception of a few predatory bands) either left the country west of the San Carlos, or have sent their families beyond, and gone on some grand stealing raid to Sonora.

The men were eager for a fight, and I was willing, and it had been prophesied that I would meet a thousand warriors before I reached the San Carlos; but I can truly say that I can at any time find more fresh Indian signs within 50 miles of this post than I found at 200 miles distant.

I concluded to return across the mountains and try to explore a road by which I might forward supplies by wagons along the crests of the divide between the waters running to the Colorado and those running to the Salinas and Gila, thus enabling me to establish temporary depots, from whence I could make descents either into the valley of Prieta, the Sierra Blancas, or the Little Colorado, with detachments supplied with five to ten days' rations, and thus obviate the necessity of large pack trains. I succeeded in finding such routes.

Returning from San Carlos to camp near the Salinas, I ascended the Magollones, and, following the general course of the divide, reached Camp Lincoln in eight days, from a point east of the head of Salt river. Grass and water plenty until after crossing the head of East Fork. From this point to Clear creek water is scarce from May 14th until the summer rains, about July 1. Very little Indian signs were found on the mountain, though the game was far more plentiful than in the valley.

It may be proper here to refer to the expedition I was organizing to start about May 15 by this very route, and turning the head of the San Carlos, return by the Salinas to Camp Reno. I would thus have taken the Indians from the rear, with perhaps greater success; but military necessity ordained that the movement should be made earlier, and there was too much melting snow on May 1 to allow my animals to travel on the divide, and I had to descend into the basin.

At the time of the receipt of General Crittenden's order I had nearly completed a road from Clear creek to the summit of the Magollones (for wagons.) As soon as the summer rains set in I will recommence the work, and continue it to the southern crests, after which the road, though crooked, can be easily worked. My impression is that the most effectual mode of holding the Indians in check, next to fighting them, is to open roads and trails through their country, so that the troops can readily track and follow them. This policy I have followed since my assignment to duty here, and the district has been very quiet.

Tonto basin is now very well chequered with our trails, and officers and men are well acquainted with the country. The basin includes the district of country south of the High Mesa, west and north of the Salinas, and east of the Mayatgal mountains, and has heretofore been properly supposed to be the home of the Apaches, where they had their farms, families, and stock. It has probably contained a large population, as we found rancherias sufficient for hundreds of families, but all abandoned.

Two sets of shoes were prepared for the animals and three for the

infantry; nearly all were worn out before our return, and the feet of a number of the horses had to be encased in leather in order to enable them to return the last 60 miles to Lincoln, the country being covered with broken lava. For 40 days they had not a grain of forage. None of the large herd of cattle stolen by the Indians near Tucson could have been brought into Tonto basin, as at first supposed. Major Clepdenin, who skirted the southern edge, could find no trail, and I repeatedly crossed his trail. No stock had passed over my route subsequent to the snow melting, with the exception of two horses. The health of the men in general was excellent.

As soon as a map of the country scouted can be compiled it will be forwarded, together with journal.

Very respectfully, your obedient servant,

THOMAS C. DEVIN,

*Lieutenant Colonel and Brevet Brig. Gen. Commanding.*

Brevet Colonel JOHN P. SHERBURNE,

*Ass't Adj't Gen'l, Headquarters Department of California,  
San Francisco, California.*

*Endorsement on General Devin's report.*

HEADQUARTERS DEPARTMENT OF CALIFORNIA,  
*San Francisco, July 10, 1868.*

I respectfully call the attention of the general commanding to the energy and zeal of the officers and soldiers in Arizona, and to the fact that, if the companies are not filled up, so many of the infantry will be discharged in the next six months that some of the posts will have to be abandoned, and all of those retained will be placed on the defensive, which will embolden the Indians and leave the overland roads and new settlements very much unprotected.

E. O. C. ORD,

*Brigadier and Brevet Major General Commanding.*

HEADQUARTERS DISTRICT OF PRESCOTT,  
*Fort Whipple, Arizona Territory, August 28, 1868.*

COLONEL: I have the honor to transmit monthly report of affairs and operations in this sub-district up to date, as I leave for Tucson to-morrow a. m., to assume temporary command of the district of Arizona, in compliance with Special Orders No. 45, headquarters district of Arizona, dated August 8, 1868.

*Fort Whipple.*—Indian affairs very quiet. The prompt pursuit of raiding parties by the detail always kept saddled at the post, has tended to discourage such attempts. The continued rains operated to prevent scouting to any great extent until August 13, on which day the weather appeared to change, and on the following day both companies of cavalry started in different directions with orders to scour the country within a semicircle of 100 miles to the south, southwest and west of Prescott. The day after the troops started, a report reached me that the Indians had made a dash on the settlement of Walnut Grove, had carried off some stock, and had fortified themselves in the mountains near that place, and defied the settlers. I at once ordered a concentration of the two companies at Walnut Grove, and the following day started to that point with rations

and supplies to follow and attack the Indians. On arriving there, I found the Indians had scattered, and crossed into the Santa Maria country, north of La Paz road, and that Lieutenant Wells, commanding the companies, had procured some citizens, as guides, and was to follow them. I approved his disposition, and proceeded with the command to Thompson's valley, whence they started at midnight, in pursuit of the Indians. At this point I left the command and proceeded to Camp McPherson. Lieutenant Wells has not as yet returned, though I learn that he surprised one rancheria, killed some Indians, and captured some stock. His report will be forwarded on his return. The health of the garrison has much improved since the rains have ceased. About ten syphilitic cases and diseases of the heart will have to be discharged as incurable. The former were contracted from the Indians at Fort Mojave, and the latter during the scout of May and June. A singular disease has attacked the horses of the cavalry, supposed to be caused by the larvæ of a fly lodged in the horses' nostrils. Their nostrils are inflamed, heads swell, and a film grows over the eye, causing blindness. Investigation is being made to discover the cause of the disease, and if possible a remedy. Several valuable horses have already had to be shot. The same disease broke out here three years ago, after a very rainy season, as this has been.

*Camp McPherson.*—On visiting this post in company with Surgeon Middleton, I found the health of the garrison much improved, not only by the cessation of the rains but by the removal of the garrison to the site selected for the new post, without waiting for the completion of their quarters. They were about to recommence work upon their quarters when I arrived there. I hope the shingles necessary to cover them will be allowed, as the mud roofs are an interminable job, and useless when finished. And this is the second set of quarters those soldiers have had to erect this year, in addition to garrisoning camp on the Colorado, scouting for Indians, and shaking with the ague. Captain Weir is doing much better, and showing a commendable degree of energy. Surgeon O'Reilly has not yet reported back to this post. I directed that transportation and escort, and a copy of Special Orders No. 115, headquarters department California, be forwarded to him at Camp McDowell.

The officers at this post, acting under orders from these headquarters, have seized a number of government animals in the hands of citizens between the post and La Paz. Reports in detail already forwarded.

*Camp Lincoln.*—Indian affairs quiet. Major Clendenin, while on a scout with a few men from his post, jumped a rancheria, but the Indians succeeded in escaping. The road to the mountains is progressing well, but, now the rains are over, will have to stand for a time, until the quarters are finished. Brevet Lieutenant Colonel McConihe, first lieutenant company C, 14th United States infantry, leaves Fort Whipple to-morrow, the 29th instant, to relieve Lieutenant Travis, as acting assistant quartermaster and acting commissary subsistence at Camp Lincoln. Major Clendenin has been ordered to repair to Fort Whipple and assume command of the sub-district of Prescott, during the absence of the sub-district commander in southern Arizona. I have left special instructions for his guidance in the protection of the agricultural interests around Prescott, the Verde Skull valley, and Walnut Grove, until after the crops are harvested.

*Desertions.*—The dispositions I have made have resulted in the capture of all deserters before they cross the Colorado, and the late seizures of horses and arms are beginning to disgust the dealers who have hitherto thrived on the traffic.

*Supplies.*—I am yet supplying Camp Lincoln from the stores on hand at Camp McPherson, over 100 miles distant. The stores here are also exhausted, and would have been previous to this date, had not the "cavalry command in the field" been ordered to supply themselves from Camp McPherson. I understand that the freight contractor's train is now between Wickenburg and this point, but as, by the bills of lading received here, there must be nearly if not quite 800,000 pounds of freight at La Paz by this time awaiting shipment to this post and Lincoln, it is evident that the public interest must suffer unless the contractors are very energetic.

In conclusion, I am glad to be able to state that the affairs of the sub-district, with the exception of horse distemper, are in a much more encouraging condition than at date of last report. I only regret that I am unable to remain here long enough to show the department commander the improvement effected, in condition of the several posts, by the supplies, lumber, &c., furnished upon my recommendation.

Very respectfully, your obedient servant,

THOMAS C. DEVIN,

*Brevet Lieut. Col. 8th Cavalry, Brevet Brig. Gen. U. S. Army.*

Brevet Colonel JOHN P. SHERBURNE,

*A. A. G., Department of California, San Francisco, Cal.*

AUGUST 31, 1868.

Lieutenant Wells, commanding the two cavalry companies "in the field," has not yet returned from his scout, and his report, as mentioned before, not yet received.

Very respectfully, your obedient servant,

J. H. MAHNKEN,

*First Lieut. 8th Cavalry, Bvt. Maj. U. S. A.,*

*A. A. A. G., Commanding Post Temporary.*

Official copy to show the system adopted for the suppression of Indian hostilities, appended as specified in report of department commander.

A. W. PRESTON,

*Bvt. Captain U. S. A., A. A. A. G.*

# REPORT OF BREVET MAJOR GENERAL GEORGE CROOK.

## HEADQUARTERS DEPARTMENT OF THE COLUMBIA,

*Portland, Oregon, October 14, 1868.*

SIR: I have the honor to submit the following report of operations in this department for the past year:

*June 12, 1867.*—Brevet Captain M. Harris, first lieutenant 1st cavalry, with 40 men of company M, same regiment, left Camp Lyon for Camp C. F. Smith; arrived the 15th instant; left there July 5th; arrived at old Camp Warner on the 27th; left there the 29th with myself to select a location for a new post; marched to Sprague's mountain and back to old Camp Warner August 1. On the 22d left old Camp Warner, marched to Sprague's River valley, distance 130 miles. September 13th divided the command, companies F and M, 1st cavalry, and scouts under McKay and Darragh; returned to Camp Harney; company M, 1st cavalry, returned to Camp Lyon.

*June 24, 1868.*—Brevet Colonel E. M. Baker, 1st United States cavalry, commanding Camp Watson, Oregon, left camp with company I, 1st cavalry, scouted the Harney Lake country and the head-waters of the John Day and Malheur rivers. Total results of the expedition was four Indians killed, fourteen women and children and two horses captured; returned to camp July 24; marched 700 miles.

*August 10, 1867.*—Brevet Lieutenant Colonel J. J. Coppinger, 23d infantry, commanding Camp Three Forks, Owyhee, Idaho Territory, under direction of commanding officer district of Owyhee, with company A and detachment of E, 23d infantry, (60 enlisted men, 7 scouts, and 30 days' rations,) travelled up the Owyhee river, scouting the Red Mountain country. On the 11th instant found two Indians, killed both and destroyed a fishery. 14th, found one buck, one squaw, and one boy; killed the buck and captured the squaw and boy; returned to camp September 19, 1867, travelling over 400 miles.

*August 22, 1867.*—Twenty Boise Indian scouts, under Archie McIntosh, scouted in the vicinity of Warner's lake, Surprise valley, and Goose Lake country; found a large party of Indians on the top of a mountain; attacked them, killing two and wounding seven. The scouts were armed with inferior arms, and had to retire with the loss of one scout and one horse killed, and one scout wounded. Was reinforced by McKay's company of scouts, but in the meantime the enemy had fled and could not be trailed. Captain Perry with his company and M, 1st cavalry, and Captains Darragh and McKay's companies of scouts, continued the march into the Blue range of mountains. I continued the campaign into the Pitt River country with company H, 1st cavalry, Lieutenant Parnelle, company D, 23d infantry, Lieutenant Madigan, 1st cavalry, commanding, and Archie McIntosh with his Boise Indian scouts. We found on Pitt river a party of warriors and one squaw in camp; the warriors fled, leaving the squaw, whom we did not molest. The next day discovered a large party of warriors in the bluffs on the river; we had a severe fight lasting two days and nights; they effected their escape by means of holes and crevices in the ground; a great many were killed, among whom were some of note; how many were killed could not be ascertained; our loss was Lieutenant Madigan and three men killed, (one accidentally,) and eight soldiers and one citizen wounded.

*September 2, 1867.*—Lieutenant Small, 1st cavalry, commanding Fort Klamath, Oregon, left camp with 51 men of company A, 1st cavalry, and 10 Klamath Indian scouts, and 20 days' rations, scouting Silver Lake country; succeeded in killing 24, and captured 19 women and children and destroyed two camps. Loss, two men and one Indian wounded; returned to camp 22d instant.

*October 3, 1867.*—Lieutenant J. Pike, 1st cavalry, left Camp Lyon, Oregon, with seven men; destroyed one camp, and was accidentally wounded, from which he afterwards died. Lieutenant Kauffman, 8th cavalry, went immediately in pursuit, but found nothing.

*October 7, 1867.*—Colonel Coppinger made a seven days' scout, travelled 186 miles, found a small party of Indians, but did not succeed in killing any.

*October 12, 1867.*—Captain Kelley, 8th cavalry, with one officer and fifty men, and McKay's chief scout with nine scouts, made an eight days' scout; found one Indian camp, which they destroyed, but did not succeed in capturing any Indians.

*October 18, 1867.*—Lieutenant Kauffman, 8th cavalry, with eleven men, company F, same regiment, made a scout of four days, but did not succeed in overtaking any Indians.



*October 23, 1867.*—Colonel Coppinger, 23d infantry, with one officer and fifty-one men, together with Brevet Major Hunt and ten men and three scouts, on the 26th killed one Indian, captured two squaws and four horses. Sent one of the squaws to her people to learn of Mrs. Den-vill, and the possibility of an exchange for the other one; returned to camp November 1, 1867.

*October 26, 1867.*—Brevet Major Hunt, 1st cavalry, with ten men, joined Colonel Coppinger on a scout; killed one buck and captured two squaws; returned October 28, 1867.

*October 26, 1867.*—Colonel Brady, 23d infantry, commanding, left Camp Three Forks, Owyhee, with one officer and thirty-eight men, scouting the Flint district; did not find anything; absent three days.

*October 27, 1867.*—Lieutenant Goodale, 23d infantry, left Camp Harney, Oregon, with 23 men of companies F and C, 1st cavalry, after stolen stock; found where the stock had been killed, but could not trail the Indians on account of the ground being frozen.

*November 11, 1867.*—One non-commissioned officer and nine men left Camp Lyon, Idaho Territory; found and destroyed an Indian camp; returned November 18, 1867.

*December 9, 1867.*—Mr. Pickett, interpreter, with eight Indian scouts and one citizen, left Camp Lyon, Idaho Territory, on the 11th; surprised a band of Piute Indians; sent to camp for assistance; after a severe fight, one buck, three squaws, three children, and three horses were captured, and the camp destroyed; returned to camp on the 13th.

*December 18, 1867.*—Brevet Captain Harris, with 44 enlisted men of company M, 1st cavalry, left Camp Lyon on the 20th; discovered and destroyed a camp, but could not overtake the Indians; returned to camp on the 24th.

*December 31, 1867.*—Messrs Pickett and Hicks, with 13 Indian scouts and two men of M company, 1st cavalry, left Camp Lyon, Idaho Territory; January 4, 1868, attacked a party of hostile Indians; killed one buck and captured five bucks and ten squaws and children, one horse, one rifle, two revolvers; on the same day Hicks, with seven scouts, captured one buck; returned to camp on the 6th instant.

*February 7, 1868.*—Colonel E. M. Baker, with company I, 1st cavalry, left Camp Watson on a scout; after four days' attempt to get through the snow were obliged to return.

*February 19, 1868.*—Captain David Perry, 1st cavalry, left Camp Harney with 42 men, company F, same regiment, and 12 Indian scouts; 29th, scouts reported Indians on Clover creek, but they discovered our approach and fled. March 3, sent animals to Fort Boise after grain. March 10, scouts captured four Indian women and one child. Returned to Camp Harney March 19, having marched 347 miles through snow from 10 to 30 inches deep, making from 10 to 20 miles a day.

*March 19, 1868.*—I was in command of the district of the lakes; all available mounted troops were ordered to rendezvous at the north end of Warner's lake, but, owing to non-arrival of supplies, was unable to reach there as soon as expected. On the 14th I reached "Donner und Blitzen" valley, near Steen's mountain; found a band of Indians up a large cañon, killed and wounded several, how many could not, from the nature of the ground, be ascertained. Supplies being exhausted, returned to camp the 26th.

*March 20, 1868.*—Captain D. Perry, 1st cavalry, with 3 officers, 98 men, and 12 Indian scouts, left Camp Harney; April 1st, scouts reported Indian camp-fire 10 miles ahead; April 2, left the pack train in charge of a guard of 10 men on account of high water; April 3, left horses with

a guard of 1 officer and 10 men; after crossing 15 streams and meandering about 10 miles, came within sight of an Indian camp; April 4, laid in concealment until midnight, when we attacked them, killing 32, captured 2, also 3 head of cattle and 1 horse, and 5,000 pounds of dried salmon, which we destroyed; returned to camp April 8; during this march the snow was so deep that frequently the men were dismounted to break the road.

*April 1, 1868.*—Lieutenant A. H. Nickerson, with 17 men of company D, 23d infantry, with Donald McKay and 1 scout, left Camp Warner, Oregon; second day out discovered camp-fires of the enemy; surrounded their camp during the night, at daybreak attacked them, inflicting severe loss; the number could not be determined; our loss was 5 men wounded, 1 of whom has since died, destroyed everything of value, and returned to camp 29th.

*May 24, 1868.*—Lieutenant A. H. Stanton, 1st cavalry, left Camp Harney with 37 men of company I, 1st cavalry, and 24 Boise Indian scouts, to scout the Malheur and its tributaries; 31st, scouts found a camp of 10 lodges near Castle Rock, attacked, and captured 12 horses, and was in turn attacked by six Piutes, who were repulsed. As soon as I arrived I dismounted and deployed my men; the Indians, finding themselves surrounded, offered to surrender; June 1, Lieutenant McClere arrived and took command. The principal chief of the hostile Indians being present and wishing to surrender, the matter was referred to me. I sent a dispatch to General Halleck for authority, and received the following:

You are authorized to make peace with the Steen's mountain Indians; but we can give them no supplies unless they surrender as prisoners of war, to be disposed of hereafter.

I arrived at Camp Harney July 29, where I found We-ah-wee-wah, with his tribe, awaiting me, who, with all his tribe, surrendered.

*May 27, 1868.*—Sergeant Henry Miller, with seven enlisted men of company M, 1st cavalry, and Mr. Beebe, with five Indian scouts, left Camp Lyon. On the 28th they found a trail during the night, and the morning of the 29th they attacked the Indian camp, killing 34; no loss on our side. Returned to camp on the 31st.

*June 22, 1868.*—Brevet Lieutenant Colonel Coppinger, with one officer and 45 enlisted men of A company, 23d infantry, with five Indian scouts, furnished escort for exploring party for a road between northwestern country and proposed depot on the Pacific railroad; scouted the country east of the Red mountain; found a party of Indians, killed three, captured three squaws and a boy; two escaped. Returned on the 22d of July.

*July 16, 1868.*—Brevet Colonel J. B. Sinclair, captain 23d infantry, left Fort Boise, Idaho Territory, with nine enlisted men and seven scouts, "Senord" Hicks chief scout; scouted north of the Weser river, to Big Salmon; on the 23d instant surrounded and captured Eagle Eye and band, 41 in all; was absent from camp 28 days, 20 without rations.

*July 26, 1868.*—Lieutenant McTaylor, 23d infantry, and one officer and 17 enlisted men from Camp Three Forks, Owyhee, found a band of Indians in Juniper cañon; killed five, captured four, and wounded a number; two prisoners attempted escape and were killed; returned to camp.

Among the officers who have been operating against the hostile Indians are Colonel Coppinger, 23d infantry, and Captains Pery, Harris, and Lieutenant Small, 1st cavalry, who are deserving of special mention for the energy, zeal, and efficient manner in which they have discharged their duties.

On the 1st of July, 1868, I met the principal hostile Indians at Camp

Harney, Oregon, and by authority from the commanding general of the military division of the Pacific I made peace with all the hostile Indians from the Humboldt, on the south, to Fort Hall, on the north, they all acknowledging the one chief, We-ah-wee-wah, leaving no hostile Indians within the department or on its borders, except the Pitt River Indians, in California, and probably a few scattering ones between Nevada and the Three Forks of the Owyhee. I was much pleased with the manner and general bearing of the Indians I met at Harney, and feel satisfied that with proper management by our troops they will not willingly enter into hostilities with us again. Subsequently I made an expedition against the Pitt River Indians, and met them in council in Round valley, Pitt river, California. They made all kinds of promises of good behavior in future and professions of friendship, which I think they were sincere in.

Since the peace at Camp Harney the troops from the Three Forks of the Owyhee have killed and captured about all the hostile Indians in that vicinity. There is some danger to be apprehended, however, from the Indians beyond the Goose Creek mountains making incursions in the Owyhee country.

Since my arrival here in command of this department I have been endeavoring to collect all the Indians who were recently hostile in eastern Oregon, Idaho, &c., (all of We-ah-wee-wah's band,) at Camp Harney and vicinity, with a view to remove them as far as possible from the thoroughfares of the country, to learn each other and the troops better. Some of these Indians, after promising to come into Camp Harney, were met by the troops from Camp C. F. Smith, and induced to go in the vicinity of that post, where there seems to be a disposition to feed them, contrary to repeated instructions from these headquarters. I again recommend the abandonment of Camp Logan, Camp Lyon, and Camp C. F. Smith, as being no longer necessary. It would be better, however, not to break them up before next spring or summer. It is highly important that these troops should be sent somewhere where they can have the advantage of drill and discipline, which they are sadly in need of.

I am, sir, very respectfully, your obedient servant,

GEORGE CROOK,

*Bvt. Maj. Gen. U. S. A., Commanding Dep't Colorado.*

Brevet Major General J. B. FRY,

*Ass't Adj't Gen., Military Division of the Pacific,*

*San Francisco, Cal.*

#### HEADQUARTERS DISTRICT OF THE LAKES,

*Camp Warner, Oregon, August 22, 1868.*

SIR: I have the honor to report that I left this post on the 24th ultimo, and assumed command of the detachment which had rendezvoused in Goose Lake valley the evening previous, consisting of companies A, H, and I, 1st cavalry; C, 9th infantry, and the Indian scouts.

Moving across the country to the South Fork of the Pitt river, with the scouts several days ahead, they found Indian signs, showing that they had been up this way on marauding expeditions, and followed them up to Big Valley, on Pitt river, about 40 miles north of east from Fort Crook, where the main bands were encamped. They were evidently on the look-out, and on the approach of the scouts showed a hostile disposition, though repeatedly assured that they were my scouts. Several

shots were exchanged, but without serious damage to either party, and on my approach with the command they scattered through the rocks and mountains, some going to Fort Crook, in Fall River valley.

I had great difficulty in getting some few of the more friendly ones together, had a talk with them, in which they confessed that nine of their bad Indians had massacred the Pierson family last spring.

They said these Indians had run away and hid in the rocks, on our approach, and as there was no probability of our getting them then, I requested Captain Munson, who commands at Fort Bidwell, to visit them again in about two months, when they were not expecting it, catch and execute the murderers.

I thought it proper to advise those who were present that they had been committing depredations upon this country on the credit of the Piutes; that they were now found out; that a continuation of these things would make it necessary to punish their whole band, and that it would be done. I also advised them that they must not come up into this upper country at all, as they would be killed if they did.

I turned over the command of the detachment in Big valley to Brevet Lieutenant Colonel E. M. Baker, 1st cavalry, directing him to scout the country thoroughly in the vicinity of Eagle lake, and catch any of the hostiles he might be able to, regarding which your attention is invited to his report enclosed herewith.

I am now of the opinion that the Indian war in this country has closed, and that there are no hostile Indians in the country extending from the Truckee, in the south, to the northern boundaries of Idaho and Oregon, and that by care and proper management they will remain peaceable.

As near as I can learn, about 800 of the hostiles have come in, and although I do not approve of subsisting them at government expense, or getting them into a way of thinking that they must be subsisted, yet a large number have come long distances, consuming the time they would have had to accumulate winter supplies, and I would respectfully recommend that the government accumulate a supply of fresh beef at Camp Harney, at an early day, to be issued to them the coming winter, to help them through, and also for the purpose of getting them together as much as possible in the vicinity of Camp Harney, and with a view to establishing more friendly relations with them, as many of these Indians have never been friendly to the whites and know nothing of them.

In concluding this report, I have to say that although the expenses in this district may have seemed large, yet the results will show that it has been true economy. And their necessity having ceased, I issued an order on the day of my return to this post, 15th instant, with a view to the discharge of all citizen employes, and a still further reduction of the expenses, and as the Indian affairs indicate peace, I shall leave here on the 26th instant for Portland, where my presence is needed at department headquarters.

I am, sir, very respectfully, your obedient servant,

GEORGE CROOK,

*Brevet Major General U. S. A., Commanding District.*

ASSISTANT ADJUTANT GENERAL,

*Department of the Columbia, Portland, Oregon.*

*Report of Brevet Lieutenant Colonel E. M. Baker.*

HEADQUARTERS DETACHMENT IN THE FIELD,  
*Camp Warner, Oregon, August 19, 1868.*

SIR: I have the honor to report that, in accordance with instructions from General Crook, I assumed command of this detachment, consisting of companies A, H, and I, 1st cavalry, C, 9th infantry, scouts, &c., on his leaving the detachment on the 10th instant, in vicinity of Big valley, on Pitt river, California, and moved the command into the Eagle Lake country.

By the aid of the scouts I scouted that country and its vicinity thoroughly, and found no signs of the Indians having been there since early last spring. Such of the hostile Pitt River Indians as had scattered through the country on our first appearance were probably secreted in the rocks and mountains, near where the scouts first found them, and of course could not be found.

In the vicinity of Madeline plains I detached Captain Munson and his company C, 9th infantry, and directed him to return to his station, Camp Bidwell, via Townsend road, scouting the country *en route*. I arrived at this post, with the remainder of the command, this P. M.

I am, sir, very respectfully, your obedient servant,

E. M. BAKER,  
*Captain 1st Cavalry, Brevet Lieut. Col. U. S. A.,  
 Commanding Detachment.*

First Lieutenant A. H. NICKERSON,  
*Adjutant 23d Infantry, A. A. A. G., Detachment,  
 Camp Warner, Oregon.*

## REPORT OF MAJOR GENERAL G. G. MEADE.

HEADQUARTERS DEPARTMENT OF THE SOUTH,  
*Atlanta, Ga., October 31, 1868.*

GENERAL: I herewith transmit for the information of the General-in-chief a brief abstract of the operations under my command while in charge of the late third military district, and subsequently in command of the department of the south.

War Department General Orders No. 104, of date December 28, 1867, assigned me to the command of the third military district; and on the 6th of January, 1868, I assumed the command, with the headquarters in this city.

The third military district at that time consisted of the States of Georgia, Alabama, and Florida. The condition of affairs was simply as follows: In the State of Georgia a convention, elected under the reconstruction laws, was in session in Atlanta, but hampered and embarrassed for want of funds.

In Alabama a convention had met, framed a constitution, nominated a ticket for State officers, and adjourned.

In Florida an election had been held for members of a convention, but the body did not meet, under the orders of my predecessor, till the 20th of January.

It is impossible in a report of this kind to give all the various questions and details which arose and were adjusted by my action; but as by the provisions of the reconstruction laws, from whence my authority ema-

nated, the power of disapproving any acts was vested in the General-in-chief of the army. I, from the first, before taking action in any important matter, laid before that officer my views and proposed course. I have therefore deemed it best to append to this report, as part of it, a full file of the telegrams between the headquarters of the army and myself; and it is with great pride and satisfaction I refer to the same, as they will show that it was rarely that the General-in-chief was called on to overrule my judgment.

I shall confine myself in this report to the briefest allusion to the special points to which I wish to invite particular attention.

One of the first questions that presented itself to my action was the financial difficulty in the Georgia convention. I found my predecessor had endorsed the requisition of the secretary of the convention, and directed its payment out of the treasury, and that the treasurer had refused payment on the ground that money could only be paid out of the State treasury except on warrants drawn by the governor. Finding this to be the state of the case, I appealed to his excellency Charles J. Jenkins, and requested, in view of the necessities of the convention, of the law of Congress authorizing this convention, and its levying a tax for the payment of its expenses, that he would draw the necessary warrant for the sum required for their immediate and pressing expenses. The governor in reply declined to draw any warrant except under appropriation by law, and informed me very distinctly that he did not acknowledge and would not be bound by the reconstruction acts of Congress, which, in his judgment, were unconstitutional, null and void. On receipt of this communication there was no alternative but the removal of Governor Jenkins, which was accordingly done, and Brevet Brigadier General Thomas H. Ruger assigned to the duty in his place. Subsequently I was compelled to remove the State treasurer and comptroller, assigning to these positions Captains Rockwell and Wheaton, of the army. I considered it judicious policy to avail myself of the authority granted in the reconstruction laws to detail officers of the army to perform these duties, as in this way I gave evidence to the people of the State, and of the country, that my only object in making the removals was the execution of the law, and that the same was free from any personal or political bias. It affords me gratification to say that I believe the effect of these changes was most beneficial, and that the administration of General Ruger and his associates, who continued in office till the State was admitted to representation, was in every way creditable to them and satisfactory to the people of all parties in the State.

Soon after my arrival at my post I received numerous communications from respectable citizens, complaining of the effect of the passage by the conventions of Alabama and Georgia of acts known as relief laws, which were intended as stay laws, to afford relief to debtors from the immediate pressure of their creditors. It was urged that the acts of these conventions not being binding nor having the effect of law till ratified by a vote of the people, and as it would require some time before this vote could be taken; that in view of the probable acceptance by the people of these acts, creditors were hurrying their action and pressing their debtors, thus making these measures really acts of oppression; and I was called on to interpose my authority, and give to these acts the force of law until the people could vote on them. Although personally opposed in principle to any laws interfering with the rights of creditors, there was, nevertheless, so much force in the reasoning advanced, and the demand from all classes was so imperative, that after consultation and approval of the General-in-chief orders were issued making said acts laws until reversed or confirmed by the vote of the people.

Immediately on taking command I was applied to from all parts of the several States comprising the district for the removal of incumbents in office and the substitution therein of individuals nominated. These applications were based on various grounds—some purely personal or political, others on the necessity of a change in order to carry reconstruction, and sometimes on the ground of neglect of duty or malfeasance in office. As it was impossible for me, in my ignorance of men, to form any judgment on the complaints preferred, or on the fitness and capacity of those seeking office, I determined to abstain from making any changes except where there was proved neglect of duty, malfeasance in office, or open refusal to obey the reconstruction laws, or attempts to obstruct their execution. In all cases I required written charges and evidence to be produced, and where these charges affected, as they did in many instances, whole municipal bodies, I directed investigation by boards of officers, and in all cases gave those accused a full hearing and every opportunity to defend themselves. A firm adherence to this rule, and the reports of several boards non-concurring in the charges presented, relieved me after a while from the great pressure brought at first to bear, and during the whole course of my administration there was not a removal made that the archives of the district will not shew was made for some cause alleged, and after investigation.

There were, necessarily, many appointments made to fill vacancies caused by deaths, resignations, and removals of incumbents from the counties or State they were living in.

Another difficulty which operated to compel me to adopt the course above reported was the fact that by the reconstruction laws no person could be appointed to office without taking the oath prescribed, which was of such a character that it limited to a very small number the persons able to hold office. So great was the difficulty, that when I saw a bill in Congress requiring the vacation of all the offices by those not able to take the test oath, I felt it my duty to telegraph the General-in-chief that if this became a law it would be impossible to fill the offices, as there were not persons enough in either of the States to fill half the civil offices in these States, and I urgently recommended authority be granted me to appoint to office registered voters. The bill did not become a law, and no change was made in my policy.

As previously stated, the convention in Alabama had under my predecessor assembled and framed a constitution, which was to be submitted to the people. The convention had fixed the 4th day of February on which to hold the election, and my predecessor directed in orders the election to continue for two days, with as many precincts as the managers might deem advisable. On representation to me that two days was insufficient to enable all the votes to be received, an extension by my authority was made of the time to four days, but the precincts limited in each county to three. The election was held at the time specified, but owing to a violent storm occurring the first two days, the time was further extended one day, making five in all. A special report having been made on the subject of this election, I deem it only necessary to say here that, from all the evidence I could procure, and I caused the most thorough investigation to be made, the constitution was fairly rejected by the people under the law requiring a majority of the registered voters to cast their ballots for or against. And that this rejection was based on the merits of the constitution itself, which was obnoxious to a large body of the friends of reconstruction, proved so by the fact that out of 19,000 white voters for the convention there were only 5,000 for the constitution, and partially from the fact that the constitutional convention

had made nominations to all the State offices, which ticket was not acceptable in all respects to the party favoring reconstruction. It will be seen by an inspection of the telegrams accompanying this report, that I had advised against an election for State officers at the same time the constitution was being voted on, believing that the same was not only not required by the reconstruction laws, but that there were objections arising out of personal and partisan feelings that would or might affect the vote on the constitution. After the rejection of the constitution, I was in favor of its being revised by reassembling the convention, and so officially reported. Congress, however, admitted the State, and the legislature convened under the constitution has, in some measure, modified its most obnoxious features. Upon the subject of this election in Alabama I beg leave to refer to my special report and to the telegraphic correspondence hereto annexed.

The election for members of the constitutional convention in Florida having been held under the direction of my predecessor, he had ordered the assembling of the same on the 20th of January, 1868. Prior to the assembling of the convention, I had referred to me by the President of the United States a memorial, sent to him by the provisional governor of the State, and signed very unanimously by prominent citizens, in which the gravest charges were brought against the managers of the election, involving frauds of all kinds, and even charging the registration of the State and the districting of the same as having been fraudulently executed, the memorialists urging me to interpose my authority, suspend the meeting of the convention, and proceed to investigate the charges which they pledged themselves to prove. Upon examination of the law, I could find no remedy short of congressional action, even should these grave charges be proved. I therefore made no change in the period fixed for the assembling of the convention, but ordered a board of officers to investigate the charges, notifying the memorialists of my action, and pledging myself to place before Congress all the testimony they might put before the board. It is hardly necessary to say that when it was found the convention was allowed to meet and do its work, the board had but little to do, and after remaining in session for some weeks, and calling without avail on the signers of the memorial for their evidence, the board closed its session without having any charge proved of all those made.

The convention met, but soon after meeting there arose dissensions and bickerings resulting in the secession of a large part of the convention, and the claim of both parties to be regarded as the legitimate convention. For some time I allowed these dissensions to proceed, not seeing clearly how I could act until I found the convention which had originally assembled, and which I had recognized as the legitimate body, had, by the secession of its members, been reduced below a legal quorum. When this arrived I required this body either to bring in sufficient members to give them a legal quorum, or, failing in that, to accept certain terms of compromise, which, after reflection, I deemed just to both parties; or if this failed, I intimated I should assume the authority and proceed, in view of the impossibility of harmonizing the difficulties, to adjourn both conventions, and refer the points in dispute to Congress for such action as it might deem proper to take. The compromise proposition having been accepted, the two parts of the convention assembled, reorganized, and proceeded to frame a constitution, which was subsequently ratified by the people and adopted by Congress.

The convention in Georgia, after being in session several months, finally in March adopted a constitution, which, together with a State ticket,



was submitted to the people in April, and ratified by a very handsome majority of the registered vote; all parties taking part in the election.

This constitution with some modifications was adopted by Congress, and the legislature, which convened in July, making these modifications and otherwise complying with the requirements of the reconstruction laws, the State, together with Alabama and Florida, were by act of Congress formally admitted to representation.

There is one point in regard to the admission of the State of Georgia to which I feel called upon to make special allusion.

When the legislature was convened by the provisional governor and governor elect, the question arose, whether, as military commander. I was called on to inquire into the eligibility of the members, either under the United States laws or the constitution of Georgia. The convention of Georgia had, in its ordinance calling an election, directed that all returns should be sent to the military commander of the district, who was requested to issue the necessary certificates of election.

In carrying out this request of the convention, I deemed my duty simply required that I should give the member having the greatest number of votes the ordinary certificate of election, and that it would be for each house to decide on the eligibility of those members whose seats were on any grounds contested.

While I admitted, as district commander executing the law, I was to see that no one ineligible to office under the 14th article constitutional amendment should be allowed to take office, I did not see that in the case of a parliamentary body I was called on to decide on the qualifications of the members. In this view I was sustained by a telegram sent to me for my information from the War Department, which had been sent to the governor of Louisiana and the military commander of the 5th district, and which I quote:

WASHINGTON, June 30, 1865.

To Governor WARWORTH, *New Orleans*:

We think that persons disqualified under the 14th article of the amendment to the Constitution of the United States are not eligible to your legislature. This is to be determined by the respective houses, but no oath can be imposed except the oath prescribed by the State constitution.

JAMES WILSON,  
*Chairman Judiciary Committee.*  
GEO. F. BOUTWELL,  
J. F. FARNSWORTH,  
H. E. PAINE,  
*Reconstruction Committee.*

It will be seen by the above telegram that the distinguished gentlemen whose names were attached were of the opinion, 1st, that no one ineligible to office under the 14th article could take a seat in the legislature; 2d, that the respective houses were to judge of the question; 3d, that no oath testing this eligibility could or should be prescribed in advance of the meeting of the legislature. These views being in accordance with my own, I acted on them, and was present at the organization of the two houses of the Georgia legislature; to the members declared in my order as having the highest number of votes, there being administered only the oath prescribed by the State constitution. After these houses were organized, the provisional governor informing me officially of their organization, but that as far as he could learn no steps had been taken to test the question of the eligibility of members under the 14th article, I replied to the governor that until the State was admitted to representation the legislature and all the officers were only provisional and subject to the paramount authority of the district commander, and that in the

exercise of this power I should consider all acts of the legislature null and void, until satisfactory evidence was presented to me that each house had purged itself of ineligible members under the 14th article, provided there were any such in either house; and I desired the provisional governor to communicate these views to each house. On the receipt of this letter each house at once ordered an investigating committee and inquired into the qualification of each member, and duly reported this fact through the provisional governor, stating at the same time that neither house had found any member ineligible.

The provisional governor in transmitting these communications expressed the opinion, founded on evidence presented to him, that several members in both houses were ineligible, and called on me to exercise my power and require said members to vacate their seats. On reflecting upon this subject I could not see how I was to take the individual judgment of the provisional governor in the face of a solemn act of a parliamentary body, especially as, from the testimony presented, I did not in several cases agree with the judgment of the provisional governor. The question was simply whether, in the construction of a law and in considering the facts of individual cases, I should make myself the judge, or take the opinion of the provisional governor, in the face of the official information that a parliamentary body had gravely and formally, through a committee, examined, reported, and acted on these cases. My judgment was decidedly that I had fulfilled my duty in compelling the houses to take the action they had, and that having thus acted I had neither authority, nor was it politic or expedient, to overrule their action and set up my individual judgment in opposition. By an inspection of the telegram sent July 18, and the reply of the General-in-chief July 23, it will be seen that my views and actions were approved.

I allude thus *in extenso* to this subject because his excellency the governor of Georgia, in a public speech recently delivered at Albion, New York, is pleased to attribute the failure of Georgia to be properly reconstructed to my action in failing to purge the legislature of his political opponents, he having advised me when he urged such action that his friends had been relieved of their disability by Congress.

The States being admitted to representation, the civil power vested in the military commander by the reconstruction acts ceased, and civil authority resumed its sway. The inauguration of civil government was to me, personally, a source of great relief, charged as I had been with almost unlimited powers. Notwithstanding the utmost effort on my part to abstain from all interference, except in cases where, in my judgment, there was no alternative, I found myself the subject of virulent abuse, my motives impugned, and every imaginable mode of attack resorted to that malice and partisan malignity could devise. Determined from the first to ignore all partisan considerations, and to faithfully execute the laws without reference to any personal or political considerations, I encountered, as was to be expected, the animosity of both sides, without having the benefit of the sympathy of either. I can, however, with just pride refer to my administration as being free from any design to interfere with the rights and liberties of any individual, much less any portion of the people, and if in some instances, as in the prosecution of the assassins of the Hon. G. W. Ashburn, of Columbus, Georgia, there were, as I have freely admitted, arbitrary measures resorted to, which in a different condition of society and under a well-ordered government might seem to deserve reprobation, I feel satisfied the evidence published in the special report made upon this subject will fully convince any candid and impartial judge that my course was imperatively urged upon me.

I encountered from the outset great embarrassment from the want of judgment and knowledge on the part of subordinate agents, and from the great desire of those expecting benefit from military intervention that I should interpose my authority and set aside the civil power. Against these influences I opposed a steady resistance. Soon after assuming command I issued an order, both to civil and military officers, informing the first they would not be interfered with so long as they faithfully executed their duties, and enjoining on the latter to abstain from interfering with the civil powers, and in all cases to report to me and receive my decision before taking any action; as, on my construction of the law, in the military commander, and in him alone, rested the authority to supersede the civil power.

I beg leave to call attention to the report of the acting judge advocate of the department, herewith appended, from which it will be seen that during the whole period of my civil administration, extending over a space of eight months, there were tried by military commission in the three States of Georgia, Alabama, and Florida only 32 persons; of these but 15 were convicted; and of these 15 the sentences of four were disapproved, of eight others remitted; of two referred to the President of the United States, and still awaiting action; leaving but one person convicted and in confinement for violation of civil law, and tried by military commission, on the cessation of military authority. This simple statement of facts I deem a complete refutation of the charges that military power was so despotically and arbitrarily exercised.

As with regard to the rights of person, so also with those of property. It was my study and effort to zealously guard the rights of individuals, without reference to any consideration but that of justice and law so far as I could comprehend it. The adoption of the relief laws in the several States, the loose manner in which these laws were drawn by the several legislatures, involved an immense amount of business in receiving, examining into, and deciding on the innumerable cases which were presented, one side always claiming military intervention for their protection. As far as it was possible to do so these applicants were referred to the judiciary, whose duty it was to construe these laws, and it was only in cases where the courts could not act, or could not be referred to, or in cases where legislative action was necessary, in other words, cases where action on the part of the military commander seemed to be imperative, that I would take any action. And it is gratifying to be able to state that since the resumption of civil authority, and the right of appeal given to the dissatisfied parties, I have had no call for any papers or evidence touching the few cases acted on.

The amount of labor performed in carrying on the civil and military administration of my command, independent of what specially related to the civil bureau, during the period covered by the report, (from January 1 to November 1, 1868,) will be seen by reference to the accompanying statement of my assistant adjutant general, wherein it is shown that there were 5,432 letters received, and 1,883 letters and 6,084 endorsements, covering orders, instructions, and decisions, sent from my headquarters. The States comprising the district having been admitted to representation, orders were issued declaring the cessation of all intervention on the part of military officers in civil affairs, and the troops, that had suffered greatly in discipline by the manner in which they had been detached and scattered, were concentrated on railroad centres, from whence, in the event of their services being required, they could be promptly moved.

This movement proved very distasteful to the people and the civil

authorities, who, having accustomed themselves to rely on the troops for maintaining order, were at first apprehensive of the consequences of their withdrawal.

Instructions were received from the President and Secretary of War confining the troops to the simple preservation of the peace, and that only after the civil authorities had exhausted all the means in their power, and called on the military through the proper channels. It now became my embarrassing duty to decline using the forces under my command, and to impress on all parties the altered condition of affairs.

Soon after announcing the position of the military, the outrage at Camilla, in Georgia, was committed, where, as I have stated in a special report, the evidence would seem to show that the authors of the outrage were civil officers, who, under the guise of enforcing the law and suppressing disorder, had permitted a wanton sacrifice of life and blood. At the same time the report stated that the opposite parties—for the affair was a political one—had, by their want of judgment, and their insistence on abstract rights, in the face of the remonstrances of the law officers, given these officers the opportunity of acting as they did. Immediately on this outrage being reported, an officer was despatched to the scene, who made a thorough investigation and report. I found from the report that the affair lasted but one day, and that there was no occasion to employ troops for the preservation of order or the protection of the people. Being satisfied that the matter had been, and so far as the detection and punishment of the criminals was concerned should continue to be, in the hands of the civil authorities, I transmitted the report of the investigation, together with the evidence collected, to his excellency the governor of Georgia.

Early in August, by the order of the President of the United States, the second and third military districts were abolished, and consolidated into the department of the south, to the command of which I was assigned. This added to my command the States of North and South Carolina, increasing greatly the duties, because in these States, particularly in South Carolina, military authority had, during reconstruction, almost entirely superseded the civil.

Soon after taking command of the department of the south I received communications from the governors of North and South Carolina, urging the use of the troops in sustaining the civil governments in these States, and notifying me of their possessing satisfactory evidence of armed bodies being organized for the purpose of overthrowing the government. I had previously received somewhat similar communications from the governors of Georgia, Florida, and Alabama. The sum and substance of these letters were an admission that the several State governments were powerless and unable to enforce the laws without the aid and co-operation of the military. I replied to these several applications that I could find nothing in the existing laws, or the instructions from superior authority, which would justify my answering their call, which virtually amounted to taking charge of the State governments, employing the civil officers as agents of the military; that my sole and exclusive duty was to preserve the peace, and that only after it was evident that the civil power was unable so to do, and had called on me in the manner prescribed by the act of Congress. These applications became so numerous and pressing that, in view of the approaching presidential election, on which day by the act of Congress approved March 2, 1865, I deemed I was authorized to employ the military forces to preserve the peace, and to calm the apprehensions of the citizens, and make known my views to the evil-disposed, I issued early in October an order distributing the troops in the several States in the

department, and gave in the order, not only instructions to the officers and men, but deemed it my duty to make an appeal to the several States, urging calmness, and abstinence from those political excitements tending to riot and bloodshed. Although particularly careful to require all intervention of the troops to be subordinate to, and in aid of and co-operation with, the civil authorities, this order was misconstrued, and subjected to the most virulent criticism. I am grateful, however, in being able to state that the effect of the order, and the movements made by virtue of it, were in the highest degree satisfactory. At the same time I take this occasion to call the attention of the General-in-chief, and through him those having the power to act, to the anomalous condition of affairs existing in this department, and the necessity, if it be deemed proper for the military to interfere in civil affairs, that more power be given to the department commander than existing laws confer.

I beg leave to refer to the reports of the several heads of the staff departments at these headquarters, for the necessary information in relation to the position, condition and discipline of the troops. So soon as the approaching election is over, it is contemplated to re-concentrate the troops, and to require the strictest attention to be paid to the drill and discipline of the several commands.

I take this occasion to express to my several district commanders, and the officers of the staff departments, and to the officers and men of the several commands, my thanks for the prompt and efficient co-operation I have ever received at their hands. No army, in previous history, was ever called on to discharge such delicate and responsible duties, involving powers that, if abused, might have led to the most serious consequences; and yet the transition from military to civil power was so imperceptible as to have passed unnoticed, but for the special means, by way of proclamations, orders, &c., to make it public. I do not mean to deny but that there were individual exceptions, and that in some cases bad judgment, political bias, or personal feelings, may have influenced the course of some individual officer or soldier; this is no more than is to be expected from our nature; but I do maintain that, taking the large force, extending over such an extent of territory, and vested with supreme power, that instead of the few instances where, perhaps, criticism might be appropriate, the wonder was, and it is to be said to the credit of the army, that so little abuse was made of a power by those who might very readily be supposed difficult to restrain and control.

I am, general, very respectfully, your obedient servant,

GEO. G. MEADE,

*Major General U. S. A., Commanding.*

Brevet Major General JOHN A. RAWLINS,

*Chief of Staff, Washington, D. C.*

HEADQUARTERS ARMIES UNITED STATES,

*November 20, 1868.*

Respectfully forwarded to the Secretary of War.

U. S. GRANT, *General.*

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[Cipher.]

ATLANTA, GEORGIA, *January 8, 1868.*

General U. S. GRANT:

The passages of ordinances by the conventions of Alabama and Georgia, enacting relief laws, are producing great suffering in these States,

by causing expedition to be used in making levies, in anticipation of these ordinances having the force of law. Advantage is being taken of the time before these ordinances are laws to hurry levies and executions, thus causing these ordinances, intended as a measure of relief, to become in reality the means of increasing and greatly aggravating the burdens of the people. I am, therefore, inclined to adopt these ordinances as the act of the military authority, and declare them to have force until the question is settled as to the adoption or rejection of the constitutions enacting them. I refer to you because your telegram of December 23 is adverse to enforcing any of the ordinances of the conventions, prior to the adoption of the constitutions, and to obtain your approval of my proposed action. Answer immediately.

GEO. G. MEADE,  
*Major General.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Dated War Department, Washington, D. C., January 10, 1868, 11 a. m.—Received at Atlanta, Georgia.]

Major General GEORGE G. MEADE,  
*Commanding Third Military District:*

As district commander I think you will be perfectly justifiable in adopting as your own order the stay laws proposed in the constitutions to be submitted to the people of Alabama and Georgia. This course is different from adoption as law of the provision of the constitutions in advance of their ratification.

U. S. GRANT, *General.*

Received in cipher.

JOHN C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Cipher.]

ATLANTA, GEORGIA, *January 9, 1868.*

General U. S. GRANT, *Washington:*

I have had a conference with Governor Jenkins, and exerted all my influence to induce him to consider the appropriation by the convention as an appropriation made by law and not inconsistent with the provisions of the Georgia constitution, and urged him to sign the warrant required by the treasurer.

The governor declined, and there is no alternative but the exercise of my power to obtain control of the State treasurer. To avoid making any more changes than are required to effect the object, and also the difficulty of finding a suitable person, and the questions of bonds, I propose to remove only the treasurer, and to assign to the duty Brevet Brigadier General Ruger with instructions to continue payments as heretofore in accordance with the existing laws of the State, and to make such payments to

the convention as I shall authorize, checking thus unnecessary expenditures. I see no other mode of supplying the wants of the convention; and its continuance in session is dependent on its wants being immediately supplied. It is probable other steps may have to be taken before the money can be secured, as it is intimated that an issue will be made with a view of testing the validity of my powers. Your approval or disapproval is asked at once.

GEO. G. MEADE,  
*Major General.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Dated War Department, Washington, January 10, 1868.—Received at Atlanta, Georgia.]

Major General GEORGE G. MEADE,  
*Commanding Third Military District:*

Plan proposed in your despatch of last evening to remove State treasurer of Georgia is approved.

Received in cipher.

U. S. GRANT, *General.*

Official:

JOHN C. GREGG,  
*Cipher Operator Third Military District.*

R. C. DRUM,  
*Assistant Adjutant General.*

ATLANTA, GEORGIA, *January 11, 1868.*

General U. S. GRANT, *Washington:*

The convention of Alabama ordained that when the election for the ratification of the constitution should be held the people should vote to fill all the offices created by the constitution and for members of Congress. General Pope in his order authorizes the officers of the election to receive the votes cast in conformity with this ordinance. Governor Patton and many influential citizens advocate strongly the withdrawal of this authority, alleging it will affect injuriously the question of ratification, and that the nominees, mostly members of the convention, are not such as the people would put in nomination if they had a fair chance. General Swayne admits some of the objections, but strongly reports against the revocation, on the grounds that it would be disastrous to reconstruction; that it would require additional elections—greatly to be deprecated—and that though not required explicitly by the reconstruction act, the power exercised by the convention is implied in these acts. My own judgment would be against authorizing this election, were the questions submitted *ab initio* as the order has been issued. There are reasons against any change, provided the order is legitimate. The ordinance contemplates the whole of the State machinery going into effect so soon as the constitution is ratified, but I do not think the officers elected can take office without my authority, until the constitution under which they are elected receives the approval of Congress. But there will undoubtedly be great pressure brought to bear to obtain my authority, and recent

action in Congress would seem to indicate a desire to place the State government in the hands of the convention. I should be glad to have your views, and as the urgency is immediate I ask for them by telegraph.

GEO. G. MEADE,  
*Major General.*

Sent in cipher.

JOHN C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Cipher.]

ATLANTA, GEORGIA, *January 12, 1868.*

General U. S. GRANT:

Unless the pending bill in Congress, directing military commanders to fill all the offices in the States under their commands, rescinds the test oath and provides for selection from qualified voters, I am informed its execution in this district will be entirely impracticable.

GEO. G. MEADE,  
*Major General.*

Sent in cipher.

JOHN C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Dated War Department, Washington, January 13, 1868.—Received at Atlanta, Georgia, January 13.]

Major General MEADE,  
*Commanding Third Military District:*

You will perceive by the reconstruction acts that conventions are to frame constitutions and civil governments for their respective States, which clearly implies authority to order the election of officers thereunder, and in fixing the day of election Alabama has only followed all established precedent. The governments elected cannot assume authority except under orders from the district commander or after action of Congress upon their constitutions.

U. S. GRANT, *General.*

Received in cipher.

J. C. GREGG,  
*Cipher Operator Third Military District.*

Received January 13, 7 p. m.

Official:

R. C. DRUM,  
*Assistant Adjutant General.*



[Cipher.]

ATLANTA, GEORGIA, *January 12, 1868.*General U. S. GRANT, *Washington, D. C.:*

General Swayne, upon further reflection and further information as to the character of the nominees, withdraws the objections, reported in my despatch of yesterday, to the postponement of the election of State officers in Alabama on the 4th of February proximo.

GEO. G. MEADE,  
*Major General.*

Sent in cipher.

JOHN C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Dated War Department, Washington, D. C., January 13, 1868.—Received at Atlanta, Georgia, January 13.]

Major General GEO. G. MEADE,  
*Commanding Third Military District:*

I would not advise interference with elections ordered by State conventions unless very satisfactory reasons exist for doing so.

U. S. GRANT, *General.*

Received in cipher.

JOHN C. GREGG,  
*Cipher Operator Third Military District.*

Received January 13, 8 p. m.

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

ATLANTA, GEORGIA, *January 15, 1868.*Gen. U. S. GRANT, *Washington:*

The governor of Florida has said before me, and endorsed the same, a petition, numerously signed, asking that the order of General Pope calling together the constitutional convention on the 20th instant be suspended for a period sufficiently long to enable me to decide on the questions raised by them invalidating the election of the members. The points raised are the violation of the reconstruction laws by General Pope, first, in the manner of districting the State; secondly, in the registration thereof; thirdly, in the conduct of the election. There is not time for me to deliberately examine these points, but there is prima facie evidence justifying me in the belief that, perhaps, according to my judgment, the reconstruction laws have not been strictly adhered to, or at least there are grave questions raised. Under this view I am dis-

posed to postpone the meeting of the convention for 30 days; but in this, as in all cases, refrain from acting until advised that you do not disapprove my proposed action. Please reply immediately.

GEO. G. MEADE,  
*Major General.*

Sent in cipher.

JOHN C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Received at Atlanta January 16.]

WASHINGTON, *January 15, 1868.*

Major General GEORGE G. MEADE,  
*Commanding Third Military District:*

Telegram to General Grant received. He replies, act according to your own judgment about postponing conventions.

ADAM BADEAU,  
*Brevet Brigadier General, Aide-de-Camp.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Cipher telegram.]

ATLANTA, GEORGIA, *January 16, 1868.*

General U. S. GRANT,  
*United States Army, Washington, D. C.:*

Has a district commander any authority under the law to correct infractions of the law? Has he any power, supposing he is satisfied that an election had not been properly conducted, or that great frauds existed, to set the election aside and order another? My own opinion is that he has not; that the only appeal in cases of improper districting, or fraudulent elections, is to be found in Congress when the constitutions are acted on. Answer to these questions are important, because if I cannot correct the evils charged in the case of Florida, there is no occasion to postpone the meeting of the convention.

GEO. G. MEADE,  
*Major General.*

Sent in cipher.

JOHN C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Received at Atlanta, Georgia.]

WASHINGTON, D. C., *January 17, 1868.*Major General GEO. G. MEADE,  
*Commanding Third Military District:*

Congress unquestionably can determine upon the question presented by the governor of Florida, whatever may be the authority of district commanders over such cases.

Major General Pope having practically settled the matter complained of, by his action, before you assumed command of the third district, it is deemed judicious not to interfere with meeting of convention at the time ordered by him, but leave the whole matter to Congress in its final action.

U. S. GRANT, *General.*

Received in cipher.

J. C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM, *Ass't Adj't Gen'l.*

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[Cipher.]ATLANTA, GEORGIA, *January 18, 1868.*

GENERAL: The State treasurer and comptroller general of this State have not only removed beyond my jurisdiction all the funds in their charge, but all the books and records of their offices, hoping by these means to force a resort to civil process. As these acts are not only in violation of the statutes of Georgia, but clear cases of contempt of the power and authority of the United States, I have ordered the arrest, and, if necessary, confinement of these derelict officers, and their trial by military commission for malfeasance in office and contempt of my authority.

GEO. G. MEADE,  
*Major General.*General U. S. GRANT, *Washington.*

Sent in cipher.

JOHN C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM, *Ass't Adj't Gen'l.*

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[Dated Washington, D. C., January 18, 1868.—Received at Atlanta, Georgia, January 18.]Major General GEO. G. MEADE,  
*Commanding Third Military District:*

Tell me whether you think the election for civil officers in Alabama should take place as now ordered, or not. It looks to me better that it should; but being present, you can tell better than I can.

U. S. GRANT, *General.*

Received in cipher.

J. C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM, *Ass't Adj't Gen'l.*

[Cipher telegram.]

ATANTA, GEORGIA, *January, 1868.*General U. S. GRANT, *Washington, D. C.:*

I have nothing to add to my telegrams of the 11th and 12th instants in relation to postponement of the Alabama election. My own judgment was in favor of rescinding General Pope's order, authorizing it, but your despatches of the 13th instant were so conclusive, and the delicacy I have in regard to General Pope's orders, caused me to notify Governor Patton that I should take no action. It is now, in my judgment, as the election is so near, too late to make any change.

GEO. G. MEADE,  
*Major General.*

Sent in cipher.

JOHN C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Cipher telegram.]

ATLANTA, GEORGIA, *January 19, 1868.*General U. S. GRANT, *Washington, D. C.:*

The conduct of the officials of Georgia embarrassed me in procuring funds for immediate purposes. I am informed the Georgia State road, under instructions from the governor and doubtless in anticipation of existing condition of affairs, has recently, without regard to the wants of the State treasury, paid large sums to the quartermaster general on account of its indebtedness to the government. It has occurred to me that if this money has not yet reverted to the Treasury, and is under the control of the War Department, a temporary return of a portion of it might be made to the treasurer of Georgia or myself for immediate wants, and when the present difficulties are overcome, and the revenue of the State, derived from the regular sources, this loan could be returned. If this is practicable I would most urgently recommend it, as, if I can only get money, the officials are flanked. I am further advised by the superintendent of the State road, who is faithfully co-operating with me, that if the auditing and settlement of his accounts could be transferred from Colonel Dana at Washington to an officer here, either General Saxton or Captain Farnsworth, that the settlement could be greatly expedited, and the revenue derived from the road placed in the State treasury in a much shorter time. This is very desirable, and I would urge said transfer be authorized.

GEO. G. MEADE,  
*Major General.*

Sent in cipher.

JOHN C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

ATLANTA, GEORGIA, January 21, 1868.

General U. S. GRANT, *Washington* :

I have received through the President of the United States a communication from the governor of Florida, relating to the meeting of the convention. May I ask you to show to the President my telegrams on this subject, with your replies. I am advised to-day by telegraph that the convention met yesterday and organized,

GEO. G. MEADE,  
*Major General.*

Sent in cipher.

JOHN C. GREGG,  
*Cipher Operator Third Military District.*

Official :

R. C. DRUM,  
*Assistant Adjutant General.*

ATLANTA, GEORGIA, January 23, 1868.

General U. S. GRANT, *Washington* :

The importance of the subject, and the very great embarrassment I find myself in, owing to the financial condition of this State, authorize and compel me to call your attention to my telegram of the 19th instant, and to urge immediate action thereon.

GEO. G. MEADE,  
*Major General.*

Sent in cipher.

J. C. GREGG,  
*Cipher Operator Third Military District.*

Official :

R. C. DRUM,  
*Assistant Adjutant General.*

[Dated Washington, D. C., January 24, 1868.—Received at Atlanta, Georgia, January 24.]

Major General GEO. G. MEADE,  
*Commanding Third Military District :*

I have recommended the adoption of your suggestions about Georgia railroad and funds.

Received in cipher.

U. S. GRANT, *General.*  
JOHN C. GREGG,  
*Cipher Operator Third Military District.*

Official :

R. C. DRUM,  
*Assistant Adjutant General.*

[Dated War Department, January 25, 1868.—Received at Atlanta, Georgia.]

Major General GEO. G. MEADE,  
*Commanding Third Military District :*

Will it not be well to extend the number of days the polls are to be kept open at the Alabama election, in order to give full opportunity to all who register to vote? Two days will hardly give sufficient time.

It would be better to amend General Pope's order now than after the election had commenced.

U. S. GRANT, *General.*

Received in cipher.

J. C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Cipher telegram.]

ATLANTA, GEORGIA, *January 26, 1868.*

General U. S. GRANT, *Washington, D. C.:*

After reference to commanding officer in Alabama, I have modified General Order No. 101 so as to allow four days for voting, and confined the number of precincts to not more than three in any one county.

GEO. G. MEADE,  
*Major General.*

Sent in cipher January 26, 1868.

JOHN C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Cipher telegram.]

ATLANTA, GEORGIA, *January 31, 1868.*

General U. S. GRANT, *Washington, D. C.:*

I am sorry to seem importunate, but the convention press me with their wants, and are making various propositions to raise money, which, in the event of any action being had on my telegram of the 19th instant, I am reluctant to accede to. I therefore would like to know what probability there is of my proposition and your recommendation being acted on.

GEO. G. MEADE,  
*Major General.*

Sent in cipher at 5 p. m.

JOHN C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Dated Washington, D. C., February 1, 1868.—Received at Atlanta, Georgia.]

Major General GEORGE G. MEADE,  
*Commanding Third Military District:*

Report of action on your despatch of 19th January was sent by mail several days ago. There is scarcely a hope of anything from here of a pecuniary nature.

U. S. GRANT, *General.*

Received in cipher February 1, 1868.

J. C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Dated Washington, February 5, 1868.—Received at Atlanta, Georgia.]

Major General GEORGE G. MEADE, *Commanding:*

Your application in relation to the bill to be filed in the Supreme Court of the United States, by Charles J. Jenkins, is received. Counsel will be employed, and the matter attended to.

SECRETARY OF WAR.

Received in cipher.

J. C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Dated Washington, D. C., February 10, 1868.—Received at Atlanta February 10.]

Major General GEORGE G. MEADE:

Tell me the probable result of Alabama election.

U. S. GRANT, *General.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Cipher.]

ATLANTA, GEORGIA, *February 10, 1868.*

General U. S. GRANT, *Washington:*

I returned from Alabama yesterday. The election passed off without disorder of any kind. It is not practicable as yet to form any accurate opinion of the vote, but indications would seem to show that it will not be greater than the vote cast for convention, perhaps less; and if the registered vote has been much increased, the constitution may be lost.

In some of the counties no polls were opened—cause as yet unknown; in others neither of the orders extending time of election were received. I am having a thorough investigation of these cases, and wherever I am satisfied the facilities required by the law have not been furnished, I shall reopen the polls, or have polls opened for a sufficient length of time to enable all who desire to so.

GEO. G. MEADE,  
*Major General.*

Sent in cipher.

J. C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Dated Washington, D. C., February 12, 1868.—Received at Atlanta, Georgia.]

Major General GEORGE G. MEADE,  
*Commanding Third Military District:*

Your despatch stating that you would investigate causes for non-holding of election in parts of Alabama, and non-extension of time in others, and determination to give time hereafter, is right. We have nothing to do with defeat or success of the constitution of Alabama. But it is the duty of the military to see that all who are entitled to should have an opportunity to express their will in the matter at the polls.

U. S. GRANT, *General.*

Received in cipher.

J. C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Cipher telegram.]

ATLANTA, GEORGIA, *February 12, 1868.*

General GRANT, *Washington, D. C.:*

Out of forty-six delegates elected to the convention of Florida, ordered by General Pope to assemble at Tallahassee, forty appeared and organized. Subsequently dissensions arose, principally on the question of distribution of offices, when eighteen of the members withdrew from the convention. The twenty-two left proceeded to form a constitution, and have notified me of their having done so, and ask an order for an election, and await my action prior to adjournment. In the meantime the eighteen seceders, joined by three of the delegates who failed to appear at the original organization, making twenty-one elected members, have organized and send a protest against the action of the original body, and claim they have twenty-four members present. Up to this time I have declined to interfere with their dissensions, or to allow the military power to interfere in aid of one or the other party, deferring any action till their proceedings required it on my part. I must now decide on the legality of the acts of the twenty-two who present a constitution. If this party had a majority of the original number elected, I should have no doubt of their status; but they have not. They have a majority of the members



present at the organization, but three are known to have since joined, and the seceders claim that six have joined them. In other words, are twenty-two members of a body to which forty-six were elected, forty organized, and three subsequently appeared, competent to discharge the functions assigned by law to the convention? I should have gone to Florida but for the Alabama election, and will now go so soon as affairs in Alabama will permit.

I have used every effort by recommendations to produce harmony, and perhaps, unless otherwise advised by you, shall continue to refuse any action until sufficient number of the seceders shall return to the original body so as to make their number a majority of the number elected. This will require the return of two of the seceders. Your views are asked as soon as possible.

GEO. G. MEADE,  
*Major General.*

Sent in cipher.

J. C. GREGG,  
*Cipher Operator Third Military District.*

Official :

R. C. DRUM,  
*Assistant Adjutant General.*

[Dated Washington, D. C., February 13, 1868.—Received at Atlanta, Georgia.]

Major General GEORGE G. MEADE,  
*Commanding Third Military District :*

I suggest that you advise Florida convention that their acts cannot be recognized unless they are the acts of an undoubted quorum of the whole number of delegates elected. Unless such a quorum open in their acts in a reasonable time, I would refer the whole matter with all facts to Congress.

It will be well for you to go to Florida as soon as possible.

U. S. GRANT, *General.*

Received in cipher.

J. C. GREGG,  
*Cipher Operator Third Military District.*

Official :

R. C. DRUM,  
*Assistant Adjutant General.*

[Dated Washington, D. C., February 13, 1868.—Received at Atlanta, Georgia.]

Major General GEORGE G. MEADE,  
*Commanding Third Military District :*

Has not the convention of Florida expelled some of the members elect as ineligible to seats. If so, is not twenty-two members a quorum, and are not expelled members among the seceders?

U. S. GRANT, *General.*

Received in cipher.

J. C. GREGG,  
*Cipher Operator Third Military District.*

Official :

R. C. DRUM,  
*Assistant Adjutant General.*

[Dated War Department, Washington, D. C., February 28, 1868.—Received at Atlanta, Georgia.]

Major General GEORGE G. MEADE,  
*Commanding Third Military District :*

If any notice, subpoena, or other paper is served on you, in the Georgia case, give no answer whatever other than to refer any party or paper to our counsel, care of the Secretary of War.

Give the same notice to Ruger and Rockwell.

U. S. GRANT, *General.*

Received in cipher.

J. C. GREGG,  
*Cipher Operator Third Military District.*

Official :

R. C. DRUM,  
*Assistant Adjutant General.*

[Cipher telegram.]

ATLANTA, GEORGIA, *February 29, 1868.*

General U. S. GRANT, *Washington :*

The Florida convention have submitted to me an ordinance relating to the ratification of the constitution and election of officers under it. This ordinance provides that when the election is held under my orders for ratification, that the judges, inspectors, and other officers shall provide separate ballot-boxes, poll-books, &c., and shall receive the ballots for congressional, State and county officers of all persons qualified to vote under the provisions of the constitution, or, in other words, the votes of persons not registered under the reconstruction laws are to be allowed to vote for these officers. Is this election of officers under the constitution, and only to take office on the adoption of the constitution, to be considered as an election for officers under the provisional government referred to in section six of act approved March 2, 1867, and are non-registered voters excluded by this section at first election held under the new constitution? Again, the ordinance designates certain days in May for holding the election. Since adjourning the president of the convention, on behalf of a majority of its members, applies to have the date of election advanced to some time in April. Does section four of act approved March 23, 1867 authorize district commanders to fix day of election, or change the same after the convention has designated a day?

GEORGE G. MEADE,  
*Major General.*

Sent in cipher.

JOHN C. GREGG,  
*Cipher Operator Third Military District.*

Official :

R. C. DRUM,  
*Assistant Adjutant General.*

[Dated Washington, D. C., February 2, 1868.—Received at Atlanta, Georgia.]

Major General GEORGE G. MEADE,  
*Commanding Third Military District :*

The election proposed by the convention for officers under the new constitution, I do not consider as an election for officers under the provisional government referred to in section 6 of the act approved March 2, 1867. It is clear to my mind that a proper construction of section 4 of act approved March 23, 1867, does not authorize district commanders to fix or change the day of election after it has been designated by the convention.

U. S. GRANT, *General.*

Received in cipher.

J. C. GREGG,  
*Cipher Operator Third Military District*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Cipher.]

ATLANTA, GEORGIA, March 6, 1868.

General GRANT, *Washington, D. C. :*

Can you not send me an official or certified copy of supplementary reconstruction act recently passed by Congress? I mean the one authorizing election for State officers at same time that constitution is submitted for ratification.

GEO. G. MEADE,  
*Major General.*

Sent in cipher.

J. C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Dated Washington, D. C., March 7, 1868.—Received at Atlanta, Georgia.]

Major General GEORGE G. MEADE, *Commanding :*

Law asked for by you sent by mail. When may your report on Alabama election be looked for?

U. S. GRANT, *General.*

Received in cipher.

J. C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Dated Washington, D. C., March 9, 1868.—Received at Atlanta, Georgia.]

Major General GEORGE G. MEADE, *Commanding* :

Telegraph me the number of votes cast for constitution, the number against, and the total number registered. Resolution of Congress calls on me for this information.

U. S. GRANT, *General*.

Received in cipher.

J. C. GREGG,

*Cipher Operator Third Military District.*

Official:

R. C. DRUM,

*Assistant Adjutant General.*

[Cipher.]

ATLANTA, GEORGIA, *March 9, 1868.*

General GRANT, *Washington, D. C.:*

I have only to-day received report on Alabama election. Vote for constitution, 70,812; against it, 1,005. Total vote cast, 71,817. Total vote cast for convention, 91,808. White vote for constitution, 6,702; do. for convention, 18,553. Vote on constitution lacks for ratification 13,550. Out of 62 counties, 20 voted four days, 13 voted two days, and two had no election. The balance, 27, voted five days. I am satisfied the constitution was lost on its merits, and I think the best thing to do would be for Congress to reassemble the convention to revise the constitution, and then re-submit it to the people under the new law giving a majority of votes cast the power to ratify. I do not see much use in reopening the polls as I proposed, as there is no possibility the votes that would be cast affecting the result. As soon as I can get away from here I shall go to Montgomery to decide this question. In the mean time, as soon as I can have prepared the data, I will send you a report showing the election as it took place. This will require perhaps a week.

GEO. G. MEADE,

*Major General U. S. A.*

Sent in cipher.

J. C. GREGG,

*Cipher Operator Third Military District.*

Official:

R. C. DRUM,

*Assistant Adjutant General.*

[Cipher.]

ATLANTA, GEORGIA, *March 10, 1868.*

General GRANT, *Washington, D. C.:*

I telegraphed yesterday the result of Alabama election. By adding the amount (vote on constitution fails of ratification) to that vote and doubling, you will get amount of registered votes, viz: 190,734; but I should explain that this amount is partly estimated, as some of the counties had not all sent in their revised registration. Again, this amount

includes registration in those counties where no election was held, which ought not, in my judgment, to be included. All these points I will give you when my written report goes on. I telegraphed yesterday only the substance of Hayden's report.

GEO. G. MEADE,  
*Major General.*

Sent in cipher.

J. C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

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[Cipher.]

ATLANTA, GEORGIA, *March 12, 1868.*

General GRANT, *Washington, D. C.:*

Alabama election returns show that the vote on governor is 1,186 less than vote on constitution, and vote on probate judges is 742 less than vote for constitution. I send these, because it has been charged that gross frauds were perpetrated in mutilating the tickets of colored men by tearing off the vote on the constitution, and it was predicted that the vote for probate judges would exceed the vote on the constitution by many thousands. I am of the opinion that most of the charges of extensive frauds will prove as illusory as the above. There were, undoubtedly, irregularities in the election sufficient to justify its being set aside as recommended, and I believe a more liberal constitution would command a majority of votes. In this State and Florida, where the constitutions do not go beyond the requirements of Congress, but fully comply with them, there seems to be no doubt among all parties but that the people will ratify them by large majorities. The Georgia convention adjourned yesterday, and the election for ratification will be held on the 20th proximo.

GEO. G. MEADE,  
*Major General U. S. A.*

Sent in cipher.

J. C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

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[Dated Washington, D. C., March 13, 1868.—Received at Atlanta, Georgia.]

Major General MEADE,  
*Commanding Third Military District:*

The last amendatory reconstruction act is now law.

U. S. GRANT, *General.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Dated Washington, D. C., March 13, 1868.—Received at Atlanta, Georgia, March 14.]

Major General GEO. G. MEADE,

*Commanding Third Military District:*

If you think it advisable to authorize the Florida election to take place in April, do not permit anything in my despatch on that subject to keep you from it.

U. S. GRANT, *General.*

Received in cipher.

J. C. GREGG,

*Cipher Operator Third Military District.*

Official:

R. C. DRUM,

*Assistant Adjutant General.*

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[Cipher.]

ATLANTA, GEORGIA, March 14, 1868.

General GRANT, *Washington, D. C.:*

Georgia convention, in ordering election of members of Congress and State officers, after prescribing that at these elections the qualifications for voters shall be the same as prescribed by acts of Congress for voters on ratification, require voters to swear they will support the constitution submitted, and that they have not prevented, or attempted to prevent, any one from voting. Is this permitted by the law of March 12, 1868, which prescribes that at these elections registered voters may vote? If permitted, do you think any oath should be required of registered voters for officers under the constitution which is not required of voters on the constitution?

GEO. G. MEADE,

*Major General.*

Official:

R. C. DRUM,

*Assistant Adjutant General.*

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[Dated Washington, D. C., March 16, 1868.—Received at Atlanta, Georgia, March 16.]

Major General GEO. G. MEADE,

*Commanding Third Military District:*

Section two of the last amendatory reconstruction act provides the same qualifications for voters for members of Congress and the elective officers provided for by the constitution submitted, as are prescribed for voters on the ratification of the constitution. Voters on the ratification of the constitution cannot under the law be required to take the oath prescribed by the convention, and, in my opinion, it would be in contravention of the acts of Congress to require voters for congressmen and other elective officers to take it. Section second, referred to, is applicable to the Florida election.

U. S. GRANT, *General.*

Received in cipher.

J. C. GREGG,

*Cipher Operator Third Military District.*

Official:

R. C. DRUM,

*Assistant Adjutant General.*

[Dated Washington, D. C., April 2, 1868.—Received at Atlanta, Georgia, April 2.]

Major General GEO. G. MEADE,  
*Commanding Third Military District:*

I suggest that the murder of Sergeant Ashburton be investigated and justice be meted out promptly by military commission, if the civil courts cannot be relied on.

U. S. GRANT, *General.*

Received in cipher.

J. C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

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[Cipher.]

ATLANTA, GEORGIA, April 3, 1868.

General GRANT, *Washington:*

I have just returned from Florida and find your despatch in relation to the murder of Mr. Ashburn. Captain Mills, commanding at Columbus, reports he is doing everything in co-operation with the civil authorities to detect and arrest the murderers, and if any are caught I intend trying them by military commission.

GEO. G. MEADE, *Major General.*

Sent in cipher.

J. C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

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ATLANTA, GEORGIA, April 4, 1868.

General GRANT, *Washington, D. C.:*

There are unmistakable signs of disorder in this State and Alabama from secret organizations, such as have disturbed Tennessee. I am about issuing a very stringent order, and shall take very summary measures to check this evil, if practicable; but the force under my command is insufficient to control all parts of these States, and in view of the approaching elections I would be much relieved if the forces here could be temporarily increased; say, an additional regiment for two months. The moral effect of re-enforcements would be very great besides the actual benefit of additional forces. The people are becoming alarmed, the negroes getting excited and threatening retaliation, and affairs within the last ten days assuming a serious aspect. The object seems to be to drive obnoxious men out of the country and intimidate voters. If you can spare a regiment, any companies you can send will be of great value.

GEO. G. MEADE, *Major General.*

Sent in cipher.

JOHN C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Dated Washington, D. C., April 7, 1868.—Received at Atlanta, Georgia, April 7, 1868.]

Major General GEORGE G. MEADE,  
*Commanding Third Military District:*

Will it not be well to remove all the civil officers in Columbus and all other places where like outrages occur?

In Alabama, when outrages are committed, the men elected might be installed.

U. S. GRANT, *General.*

Received in cipher.

JOHN C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Cipher.]

ATLANTA, GEORGIA, *April 9, 1868.*

General GRANT, *Washington, D. C.:*

I have not removed civil authorities of Columbus because Captain Mills commanding there reported they were acting in concert with him, and evinced every disposition to ferret out murderers. I did not send any board to investigate because Mills and his subordinates were doing everything it was practicable to do. I have been fully alive to the necessity of action, but am waiting till I see the time when action will be available. Captain Mills has made some ten arrests, principally of people whom he has reason to believe have knowledge of the perpetrators of the deed. I have sent Major Smythe, of the Judge Advocate General's department, to assist in the investigation, and have written to Mills to get his judgment on expediency of making removals of the civil officers. There will be difficulty just now in finding people willing to assume the responsibility and dangers of the position.

GEO. G. MEADE,  
*Major General.*

Sent in cipher April 9.

J. C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

Mr. GREGG: If this despatch has not been sent, please send it at once, dating it to-day. If it has been sent, return it with date. It was sent filled in.

GEO. G. MEADE.

[Cipher.]

ATLANTA, GEORGIA, *April 11, 1868.*

General U. S. GRANT, *Washington, D. C.:*

Have requested General Gillem to send companies at once to this place. These, with those from Thomas, will answer all purposes, so far



as can be anticipated. Matters have become, in appearance, much quieter since issuing General Order No. 51.

GEO. G. MEADE,  
*Major General.*

Sent in cipher.

JOHN C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

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[Cipher.]

ATLANTA, GEORGIA, April 29, 1868.

General GRANT, *Washington, D. C.:*

Election passed off as quietly as could be expected; one or two serious outbreaks only. Many complaints of fraud from both sides, and some applications based on them for re-election; these will be thoroughly investigated, and action predicated on result of investigation. Official returns come in slowly. No accurate judgment can as yet be formed, but the probabilities are that the constitution is ratified by a very large majority. Bullock, republican, elected by a small majority, and democrats carried a majority of the legislature. No acknowledgment has been received by me of my letter to you of the 16th instant, and I would be relieved to know at the earliest moment your views on the points raised therein.

GEO. G. MEADE,  
*Major General.*

Sent in cipher.

J. C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

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[Dated War Department, Washington, D. C., April 29, 1868.—Received at Atlanta, Ga., 3.30 p. m., April 29, 1868.]

Major General GEORGE G. MEADE,  
*Commanding Third Military District:*

I have carefully read your letter of 16th April, and its enclosures. I see nothing in them to change my opinions as expressed to you in my despatch of March 2, 1868. The officers elected under the new constitution of Georgia are not officers of the provisional government referred to in the reconstruction acts, nor are they officers elected under any so-called State authority, and are not therefore required to take the oath prescribed in section nine, act of July 19, 1867. The eligibility to hold office must be determined by the new constitution and the amendment to the Constitution of the United States designated as Article 14.

U. S. GRANT, *General.*

Received in cipher.

JOHN C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Cipher.]

ATLANTA, GEORGIA, *May 2, 1868.*General GRANT, *Washington, D. C.:*

Ryland Randolph, editor of the Tuscaloosa Monitor, whose paper has been frequently sent to you as well as myself, recently assaulted, with intent to kill, a freedman in that town. The disordered condition of the State, the influential position of the criminal, induced General Shepherd to have Randolph arrested and to prefer charges against him, which I have ordered tried by military commission. Judge Busted of the United States district court has granted a writ of *habeas corpus*, returnable on the 5th instant. Under my orders, General Order No. 11, this writ will be obeyed so far as presenting the body in court and making a respectful return, setting forth the ground and authority of arrest. It is not known whether Judge Busted will acknowledge the authority or admit the justification in the grounds set forth. Should he order the discharge of the prisoner, your opinion of the course to be pursued is solicited.

GEO. G. MEADE,  
*Major General.*

Sent in cipher.

JOHN C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Dated Washington, D. C., May 4, 1868.—Received at Atlanta, Georgia, May 4.]

Major General GEO. G. MEADE, *Commanding:*

Randolph being taken before a United States court, I advise submission to decision of that court.

U. S. GRANT, *General.*

Received in cipher.

J. C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Cipher.]

ATLANTA, GEORGIA, *May 8, 1868.*General GRANT, *Washington, D. C.:*

Colonel Sprague telegraphs: Election in Florida passed off without disorder. Judging from partial returns, constitution ratified by about 3,000 majority, and Reed ticket, republican, elected by a small majority. The official returns have been received in this State from all but one

county, and show constitution ratified by 17,973 majority. Bullock elected by 7,279 majority; senate: 27 republicans, 16 democrats, 1 doubtful; house: 95 republicans, 74 democrats, 6 doubtful.

GEO. G. MEADE,  
*Major General.*

Sent in cipher.

JOHN C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Dated Washington, D. C., May 9, 1868.—Received at Atlanta, Georgia, May 9.]

Major General GEO. G. MEADE, *Commanding:*

Do you not think it advisable to appoint civil officers, elected at late election in Georgia, to relieve all army officers heretofore appointed by you?

U. S. GRANT, *General.*

Received in cipher.

J. C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Cipher.]

ATLANTA, GEORGIA, May 11, 1868.

General GRANT, *Washington, D. C.:*

It was not my intention to put in office any of the civil officers recently elected until Congress had acted on the constitution. The only army officers detailed are the governor, comptroller, and treasurer. The governor, if put in office, could not appoint any one, and would have to appoint every one through me. I do not desire any such position, and doubt if it would result harmoniously: again, all appointees would have to take the test oath, and I question whether many of the elected can do this. I have been greatly embarrassed in the few appointments I have made, to find men who could take this oath. When the constitution is sent to Congress, if they authorize the civil government going into office in advance of the admission of the State, and on the same terms as if the State had been admitted; that is, without requiring the test oath, I think this would be well. I am not disposed to relieve Governor Ruger at present, as there are certain financial and other questions originating under him, which it is due to him he should have time to adjust and settle. I, perhaps, ought to explain what I mean by want of harmony between the governor elect and myself. Of course you will understand his appointments will be made on political and party grounds, and will be, undoubtedly, from his standpoint, on good and sufficient

reasons; but I have nothing, and wish to have nothing to do with these matters, and if he makes appointments through me, the responsibility of concurrence, if nothing more, must rest on me.

GEO. G. MEADE,  
*Major General.*

Sent in cipher.

JOHN C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Dated War Department, Washington, D. C., June 1, 1868.—Received at Atlanta, Georgia, June 1, 1868.]

Major General GEO. G. MEADE,  
*Commanding Third Military District:*

I would suggest that the military interpose to obstacle to the meeting of the legislature of Florida. Leave Congress to reject or affirm their acts. I do not suggest ordering the legislature to meet, but mere instructions to the commander of the State that he do not interfere in the matter.

U. S. GRANT, *General.*

Received in cipher.

J. C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Cipher.]

ATLANTA, GEORGIA, June 1, 1868.

General U. S. GRANT, *Washington, D. C.:*

It will not be practicable to adopt your suggestion in regard to the Florida legislature without some action on my part. When the election of State and county officers was ordered, I directed the returns to be sent to the superintendent of registration, instead of the board of canvassers, as provided in the ordinance of the convention. The members of the legislature cannot get their certificates of election without my directing the returns to be turned over. My object was and is to retain control of the whole subject, because if the legislature is permitted to convene without orders from me, and without regard to the paramount authority which the reconstruction laws vest in me, interminable confusion and conflict of authority will be sure to result. So long as the reconstruction laws are in force, I should be opposed to the convening of the legislature, except by my order and under my authority. If these legislatures would confine themselves to simply acting on the 14th article, and then adjourning to await congressional action, I would not object so much; but once assembled, they will do as they please: pass laws inconsistent with my powers and orders; tax *ad libitum* the State treasuries, without any

control, and without any means of enforcing their acts, except through me; whereas if Congress wil. only act on the constitution, and authorize district commanders to install the elected governments on same terms as if State was admitted, there would be no difficulty in the governor calling together the legislature and controlling their action through the veto. Unless, therefore, you send positive orders, I shall require the legislature of Georgia and Florida to await action of Congress on the presented constitutions of those States.

GEO. G. MEADE,  
*Major General.*

Sent in cipher.

JNO. C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

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[Cipher.]

ATLANTA, GEORGIA, June 2, 1868.

General U. S. GRANT, *Washington, D. C.:*

Official returns of the Florida election this day received show, for the constitution, 14,561 votes; against the constitution, 9,511; majority for the constitution, 5,050 votes. For the office of governor, Harrison Reed received 14,421 votes; George W. Scott received 7,731 votes; and Samuel Walker received 2,257 votes.

GEO. G. MEADE,  
*Major General.*

Sent in cipher.

JNO. C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

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[Cipher.—Time 1. 15 p. m.—Dated Atlanta, Georgia June 22, 1868.—Received at Washington, D. C., June 22, 1868.]

Major General GEORGE G. MEADE,  
*Care Adjutant General U. S. Army:*

General Dunn requests me to say that the trial of Columbus prisoners has not yet commenced, nor can it probably before the last of this week. There is no prospect that the trial can be completed before the State is admitted. Can a trial by military commission be continued after admission of State? He desires you to see if Congress will not pass an act for the disposition of all trials that may be pending an admission of a State.

R. C. DRUM,  
*Assistant Adjutant General.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

Dated War Department, Washington, D. C., June 26, 1868.—Received at Atlanta, Georgia, June 26.]

Major General GEORGE G. MEADE,  
*Commanding Third Military District:*

The act to admit the States of North Carolina, South Carolina, Louisiana, Georgia, Alabama, and Florida to representation in Congress became a law June 25, 1868.

Please notify the governors elect of the States in your district, for under the act the governor elect may, if he deems it necessary, convene the legislature thereof at an earlier date than that fixed by law.

U. S. GRANT, *General.*

Received in cipher.

J. C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Dated War Department, Washington, D. C., June 27, 1868.—Received at Atlanta, Georgia, June 27.]

Major General GEORGE G. MEADE,  
*Commanding Third Military District:*

Your proposition relative to employment of counsel in the murder case is approved.

J. M. SCHOFIELD,  
*Secretary of War.*

Received in cipher.

J. C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

Dated War Department, Washington, D. C., June 29, 1868.—Received at Atlanta, Georgia, June 29, 1868.]

Major General GEORGE G. MEADE,  
*Commanding Third Military District:*

To avoid any questions as to who shall exercise the offices of governor and lieutenant governor in the States of Georgia and Alabama, notice convening of the legislatures of said States under the act of Congress passed June 25, 1868.

You will appoint the governor and lieutenant governor of said States, vice present incumbents removed, and the governor and lieutenant governor elect of Alabama, governor and lieutenant governor of said States, vice present incumbents removed. These appointments and removals to take effect at the date of the convening of said legislatures respectively.

U. S. GRANT, *General.*

Received in cipher.

J. C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Cipher.]

ATLANTA, GEORGIA, June 30, 1868.

Hon. SECRETARY OF WAR AND GENERAL U. S. GRANT,  
*Washington, D. C.:*

When I left Washington I was of the opinion that the trial of all civil prisoners might be and should be left to the civil authorities on the admission of the State. Since my arrival, owing to the developments in the Ashburn murder case, the intense excitement produced by the same, and the false and malicious statements made for political purposes, I deem it most urgent that this trial should be carried on to the end by the military authorities. Colonel Schofield will apprise you of the character of the evidence, but every conceivable obstacle is being resorted to to produce delay, with the intention of taking the prisoners out of my hands by writ of *habeas corpus* as soon as the State is supposed to be admitted. I think, therefore, for the purposes of justice, some action should be had in Congress continuing the trial of all cases by military commission pending at the time the State is admitted. Cannot this be done?

GEO. G. MEADE,  
*Major General U. S. Army.*

Sent in cipher.

J. C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Dated War Department, Washington, D. C., July 1, 1868.—Received at Atlanta, Georgia, July 1, 1868.]

Major General GEORGE G. MEADE,  
*Commanding Third Military District:*

In the absence of General Grant, your despatch of yesterday was to-day submitted to the Secretary of War, and it is his opinion that the congressional action cannot be had.

JOHN A. RAWLINS,  
*Chief of Staff.*

Received in cipher.

J. C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Cipher.]

ATLANTA, July 6, 1868.

General U. S. GRANT, *Washington, D. C.:*

Both houses of the legislature of this State organized on the 4th instant by electing a president of the senate and speaker of the house. Indications would seem to point to a democratic majority in the lower house.

and probable rejection of the 14th article. When the houses were organized, all members who had received the largest number of votes were allowed to qualify by taking the oath prescribed by the constitution of the State, and no reference was made to the eligibility of members under the 14th article. It is believed there are several in both houses who are disqualified; but of course it is not to be expected that a democratic majority will make any haste to unseat such. The question is, have I any authority in the premises? A legislative body is undoubtedly the judge of the qualifications of its own members, but has a legislature, convened under the reconstruction acts, and therefore provisional, under this act and the act of June 25, until it has passed the 14th article, the right to pass the 14th article or do any act beyond mere organization until it has purged itself of disqualified members; and can I, in view of the powers conferred by the reconstruction acts, exercise any control over them in case of their failure so to do? An early reply to this telegram is requested.

GEO. G. MEADE,  
*Major General.*

Sent in cipher.

J. C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

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WAR DEPARTMENT,  
*Washington, D. C., July 7, 1868—11 p. m.*

Major General GEORGE G. MEADE,  
*Commanding Third Military District :*

Your despatch relative to the eligibility of members of the Georgia legislature, and your authority touching the same, has been received and forwarded to General Grant for instructions.

It is clear to my mind that, under the reconstruction acts, including the one passed June 25, 1868, no person, prohibited from holding office under the United States or under any State, by section three (3) of the proposed amendment to the Constitution of the United States, known as article 14, unless relieved from such disability, is eligible to a seat in the legislature, and is therefore not competent to take part in its deliberations or to pass upon the ratification of said amendment. Under ordinary circumstances the legislature itself would be the proper judge of the qualifications of its members, and bearing upon this latter point I send you herewith copy of despatch of Hon. J. F. Wilson, George S. Boutwell, and others, to Governor Warmoth, of Louisiana; I also send one from General Grant to me for General Buchanan, which most unmistakably defines his views of the character of these governments and authority of the district commanders. The reconstruction acts are required to be construed liberally, to the end that all the interests thereof, viz., the re-establishment of civil governments in the States lately in rebellion, may be fully and perfectly carried out, and it would seem that persons ineligible to hold office under their provisions should not be permitted to defeat them.

JOHN A. RAWLINS,  
*Chief of Staff.*



JUNE 30, 1868.

Governor WARMOTH, *New Orleans*:

We think that persons disqualified by the 14th article of the amendment to the Constitution of the United States are not eligible to your legislature. This is to be determined by the respective houses; but no oath can be imposed except the oath prescribed by the State constitution.

JOSEPH F. WILSON,  
*Chairman Judiciary Committee.*

GEORGE S. BOUTWELL,  
J. W. FARNSWORTH,  
H. E. PAINE,  
*Reconstruction Committee.*

RELAY HOUSE, MARYLAND, June 30, 1868.

General JOHN A. RAWLINS:

Instruct General Buchanan that the government of Louisiana is provisional, and the lieutenant governor is bound by the decision of the district commander, right or wrong, whilst it remains so.

U. S. GRANT, *General.*

JOHN A. RAWLINS,  
*Chief of Staff.*

Received in cipher, by telegraph.

J. C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Dated Washington, D. C., July 9, 1868.—Received at Atlanta, Ga., July 9, 1868.]

Major General GEORGE G. MEADE,  
*Commanding Third Military District:*

In answer to despatch of the 6th instant, the following has been received from General Grant:

ST. LOUIS, MISSOURI, July 8, 1868.

JOHN A. RAWLINS, *Chief of Staff:*

No person ineligible to hold office under the 14th article of the constitutional amendment should be allowed to qualify. District commanders are the judges of the qualifications of civil officers until all the requirements of the different acts of Congress, to complete reconstruction of the seceded States, are fully complied with.

U. S. GRANT, *General.*

JOHN A. RAWLINS,  
*Chief of Staff.*

Received in cipher.

J. C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Dated Washington, D. C., July 11, 1868.—Received at Atlanta, 11.]

Major General GEO. G. MEADE,  
*Commanding Third Military District:*

The Secretary of War desires me to know whether you can spare a regiment of infantry from your command.

ED. SCHRIVER,  
*Inspector General.*

Received in cipher.

JNO. C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

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[Cipher.]

ATLANTA, GEORGIA, July 11, 1865.

ED. SCHRIVER, *Inspector General, War Department:*

I would not recommend any reduction of force in this district at the present moment. When Alabama and Georgia are admitted, and their civil governments peacefully inaugurated, there will be no objection to the withdrawal of a regiment of infantry.

GEO. G. MEADE,  
*Major General United States Army.*

Sent in cipher.

J. C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

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[Cipher.]

ATLANTA, GEORGIA, July 16, 1868.

General RAWLINS, *Chief of Staff:*

I am officially advised by the commanding officer sub-district of Alabama that the legislature, which convened on the 13th instant, adopted on that day the 14th article constitutional amendment, and otherwise complied with the requisitions of the act of June 25, 1868, and that on the 14th the governor elect was duly inaugurated and installed in office.

GEO. G. MEADE,  
*Major General United States Army.*

Sent in cipher.

J. C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Cipher.]

ATLANTA, GEORGIA, *July 18, 1868.*General U. S. GRANT, *Washington, D. C.:*

On the 8th instant, having been officially notified by the provisional governor of Georgia that both houses of the legislature had reported to him they were organized and ready for any communication from him, I instructed the governor to communicate to both houses that until compliance was had with the laws of Congress, I considered them as provisional and subject to my control, and that I could not consider either house legally organized until it had examined into and decided on the eligibility of its members under the 14th article. On receipt of this communication both houses appointed a committee to investigate and report. In the senate a majority of the committee reported all eligible; one member of the minority reported two ineligible, another member of the minority reported nine ineligible. The senate, after hearing the report of the committee, and excluding the senators reported against from voting, endorsed and adopted the report of the majority declaring none ineligible. This action is to-day transmitted to me by the provisional governor, who adopts the extreme report of the minority; gives his judgment that the action of the majority of the committee and of the senate is illegal, and that the nine members are ineligible; states, however, that he has official information that certain of these members have had their disability removed by Congress, and calls on me to override the decision of the senate and declare vacant the seats of those members, reported against by one member of the minority, whose disabilities have not been removed. I am not disposed to alter the position I have assumed, that it is the prerogative of each house to judge of the facts and the law in the cases of members of their houses. I consider I have performed my duty when I call their attention to the law and require action to be taken under it. I do not feel myself competent to overrule the deliberate action of a legislative body who report they have conformed to the rule I laid down for their guidance. If I was the sole and exclusive judge of the qualifications of members I should have exercised my prerogative before allowing the houses to organize. I continued the despatch of Mr. Wilson to Governor Warmoth prohibiting any oath, but such as the Constitution prescribed, as prohibiting any test in advance of the house having control, and as leaving to each house the right to decide. My judgment therefore is to acquiesce in the decision of the senate and leave to Congress such action as may hereafter be deemed proper, in case the senate has failed to comply with the law. To adopt the course proposed by the provisional governor, and overrule the action of the senate, will bring me in immediate conflict with the legislature, and produce results which in my judgment would be worse than allowing a few doubtful members to retain seats under the vote of their own body. It is proper I should add that there appears at present no doubt but that the congressional acts will be complied with, even if members whose seats are questioned are left undisturbed. So far as I can ascertain the trouble is a personal one, arising out of the contest for United States senatorship. I should also add that the senate, whose action is reported, has a decided republican majority, and could have purged itself of such members as are clearly ineligible. What I desire to know is whether, in your judgment, my duty requires me to overrule the deliberate acts of the senate, and judge for myself on the qualifications of members. I

have no doubt of my powers in the premises, but do not feel that I am called on to do more than I have done.

GEO. G. MEADE,  
*Major General.*

Sent in cipher.

J. C. GREGG,  
*Cipher Operator Third Military Division.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Dated Washington, D. C., July 20, 1868.—Received at Atlanta, July 20.]

Major General GEORGE G. MEADE:

Your despatch has been received and forwarded to General Grant for instructions.

JOHN A. RAWLINS,  
*Chief of Staff.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Dated Washington, D. C., July 20, 1868.—Received at Atlanta, Georgia, July 20.]

Major General GEORGE G. MEADE,  
*Commanding Third Military District:*

General Grant is now at Denver. Answer will probably reach you day after to-morrow. I have no doubt he will agree with you.

JOHN A. RAWLINS,  
*Chief of Staff.*

Received in cipher.

JOHN C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Dated Washington, D. C., July 23, 1868.—Received at Atlanta, Georgia, July 23.]

Major General GEORGE G. MEADE,  
*Commanding Third Military District:*

The following despatch just received:

DENVER, COLORADO, *July 21, 1868.*

JOHN A. RAWLINS:

Major General Meade's despatch received. His conclusions are approved.

U. S. GRANT, *General.*

JOHN A. RAWLINS,  
*Chief of Staff.*

Received in cipher.

JOHN C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

ATLANTA, GEORGIA, July 21, 1868.

General U. S. GRANT, *Washington, D. C. :*

Both houses of the legislature of Georgia having examined into and decided upon the qualifications of their respective members, under the 14th article constitutional amendment, I yesterday instructed the provisional governor to communicate to each house that I considered their organization legal and withdrew my opposition to their proceeding to the business which called them together. To-day both houses, by decided majorities, have passed the constitutional amendment known as article fourteen, and will, without doubt, at once otherwise comply with the requisition of act of June 25, 1868.

GEO. G. MEADE,  
*Major General.*

Sent in cipher.

J. C. GREGG,  
*Cipher Operator Third Military District.*

Official :

R. C. DRUM,  
*Assistant Adjutant General.*

ATLANTA, GEORGIA, July 21, 1868.

Brevet Major General SCHRIVER,  
*War Department, Washington, D. C. :*

Civil government being established in Florida and Alabama, and the Georgia legislature having to-day passed the 14th article constitutional amendment, indicating that in a few days this State will have civil government established, I am prepared to dispense with one of the regiments of infantry in this district, and would recommend the withdrawal of the 15th regiment, now in Alabama. Please notify me at the earliest moment, that I may make the proper arrangements for relieving it.

GEO. G. MEADE,  
*Major General United States Army.*

Sent in cipher.

J. C. GREGG,  
*Cipher Operator Third Military District.*

Official :

R. C. DRUM,  
*Assistant Adjutant General.*

ATLANTA, GEORGIA, July 22, 1868.

General U. S. GRANT, *Washington, D. C. :*

Yesterday the governor elect of Georgia notified me officially that both houses of the general assembly of Georgia had by solemn act complied with the requisitions of the act of Congress which became a law June 25, 1868, and to-day I have witnessed the inauguration of the governor elect. The State of Georgia is therefore, under the acts of Con-

gress, entitled to representation. The official documents will be carried by to-day's mails, by Brevet Brigadier General R. C. Drum, sent to Washington for this purpose.

GEO. G. MEADE,  
*Major General United States Army.*

Sent in cipher.

JOHN C. GREGG,  
*Cipher Operator Third Military District.*

Official :

R. C. DRUM,  
*Assistant Adjutant General.*

ATLANTA, GEORGIA, *July 30, 1868.*

General U. S. GRANT, *Washington, D. C. :*

The governor of Georgia advises me there is reason to believe the municipal authorities of Augusta are about being resisted, by a combination made for that purpose. These authorities were the appointees of my predecessor, and it is probable the resistance anticipated is on the ground that military authority having ceased, all agents deriving their power from the military are *functus officio*. The governor calls on me to sustain the civil authorities, if necessary. Instructions and advice are requested on the position the military power now occupies. In my judgment I have no right to interfere or use the military forces under my command, except where so instructed to do from superior authority, and that the governor should report to Washington his inability to preserve order and enforce the law, before any orders are sent to me. If I am to preserve order in these States, and do police duty of municipalities, whenever the civil authorities choose to call on me, I shall have my hands full, as the facility of having order preserved through the United States forces will act to deter proper efforts on the part of the civil power. Besides, my force will be inadequate to do this duty; not expecting any such duty I consented to the withdrawal of the 15th regiment of infantry. I am not disposed, and do not desire to use my command on the judgment of others or at their dictation. As the reconstruction laws, and the powers given me under them, no longer exist, I must ask explicit and distinct instructions as to my powers and their proper exercise. This despatch can be shown to the Secretary of War, if General Grant is not at headquarters.

GEO. G. MEADE,  
*Major General.*

Sent in cipher.

J. C. GREGG,  
*Cipher Operator Third Military District.*

Official :

R. C. DRUM,  
*Assistant Adjutant General.*

WAR DEPARTMENT,  
*Washington, D. C., July 31, 1868.*

Major General GEORGE G. MEADE,  
*Commanding Third Military District, Atlanta, Georgia :*

Your telegram to the General commanding, requesting instructions and advice on the position the military power occupies in Georgia, has

been submitted to the Secretary of War, and by him laid before the President and cabinet.

Your views as to when and how the military forces under your command may be used were approved of, and I am instructed by the Secretary of War to say to you that he will prepare and send to you instructions for your guidance. Also that, should any insurrection or riot break out before you receive them, to advise the governor to telegraph to the President for the requested authority to use the troops in quelling the same. By referring to General Grant's letter to you, dated June 27, 1868, you will find his opinion upon the tenure of office of military appointees, which is against their continuance, unless provided for by State authority.

JOHN A. RAWLINS,  
*Chief of Staff.*

Received by telegraph in cipher.

JNO. C. GREGG,  
*Cipher Operator Third Military District.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Telegram received at headquarters Second Military District, Charleston, South Carolina, Aug. 5, 1868, 2 p. m.]

WASHINGTON, D. C., August 5, 1868.

Major General MEADE, *Charleston, South Carolina:*

The Secretary of War directs that you suspend concentration of troops, under your late order, until he has had time to communicate with you on the subject.

E. D. TOWNSEND,  
*Assistant Adjutant General.*

S. F. BARSTOW,  
*Assistant Adjutant General.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

HEADQUARTERS SECOND MILITARY DISTRICT,  
*Charleston, South Carolina, August 5, 1868.*

TO SECRETARY OF WAR, *Washington:*

I have received a telegram from Adjutant General, directing suspension of order concentrating troops, until you can communicate with me. As the suspension of this order will produce much confusion—indeed is almost too late—and as it will delay the departure of the 15th regiment for Texas, which General Buchanan is urging to be sent to him, and as I feel confident you will be satisfied with my reasons, I shall delay suspension till a reply is received to this telegram.

My reasons for concentrating the troops, and only occupying such positions as the public exigencies require, are as follows: 1st, economy; 2d, to increase the discipline and efficiency of the troops, which, from their being scattered and divided into small detachments, have become

lamentably low; 3d, to do away with the number of subordinate officers, in whose hands the relations between the military and civil authorities must be left, and who often produce difficulty by want of judgment, or hasty temper; 4th, to let the minor civil authorities and bureau agents know and realize that they are not to depend on the military to settle every trifling difficulty that may occur; 5th, to have the troops in hand and ready, in case any emergency should occur requiring their employment, that they could be sent in large force, without having to collect them from a number of points. I am very well aware that this arrangement is distasteful to the people who have been depending upon the troops for the preservation of order, and to others, who wish the government to scatter the troops, that money may be distributed. But as you have approved of my views of the relative position of the civil and military power, I trust you will approve of my programme for holding the troops in hand at railroad centres, where they can be promptly used in case of necessity. In other words all the arguments are in favor of concentration, and I know of none in favor of their being scattered, unless it is to gratify local influences. I occupy two points in Alabama—Mobile and Huntsville; three in Georgia—Savannah, Atlanta, Dahlonega; six in Florida—Jacksonville, St. Augustine, Tampa Bay, Key West, Tortugas and Pensacola. I should deeply regret my programme being overruled, as I have acted on mature reflection, and to the best of my judgment. An early reply is requested.

GEO. G. MEADE,  
*Major General.*

Sent in cipher.

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Telegram received at headquarters Second Military District, Charleston, South Carolina, August 6, 1868, 11 a. m., from Washington, August 6, 1868.]

Major General GEORGE G. MEADE,  
*Commanding Department of the South:*

Your cipher telegram of August 5 received. The Secretary of War will be back from short absence to-morrow.

E. D. TOWNSEND,  
*Assistant Adjutant General.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Telegram received at headquarters Second Military District, Charleston, South Carolina, August 6, 1868, 12 m., from War Department, Washington, August 6, 1868.]

Major General GEORGE G. MEADE,  
*Commanding Department South:*

The following despatch is transmitted for your guidance:

ST. LOUIS, MISSOURI, August 5, 1868.

To Major General JOHN A. RAWLINS, *Chief of Staff:*

Direct Major General Meade to leave troops as now stationed in Alabama, if they have been merely concentrated. If they have been sent to Huntsville, direct that at least four



companies be stationed at the State capital of Alabama, and the rest held in reserve to answer calls, should they be made by the governor of the State.

U. S. GRANT, *General.*

JOHN A. RAWLINS,  
*Chief of Staff.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

HEADQUARTERS SECOND MILITARY DISTRICT,  
*Charleston, South Carolina, August 6, 1868.*

Brevet Major General RAWLINS, *Washington:*

Please get from the Adjutant General and forward to General Grant my telegram of yesterday to the Secretary of War, giving reasons for concentration of troops. It was not with any intention of not answering any proper calls made on me by the constituted civil authorities, though I am of the opinion that said calls should be made through the authorities at Washington. On the contrary, my disposition of troops was made with a view of promptly acting by masses if action was required. I did not station any at Montgomery because the place is unhealthy, and I thought it better to remove the troops from the centre of political agitation; but I have four companies at Mobile and eight at Atlanta that can be sent to Montgomery in less than a day. It is now too late to change, without great confusion, existing orders, and I trust the General-in-chief has that confidence in my judgment, that when he is apprised of my reasons, and himself examines the disposition of the troops, he will refrain from overruling me. If, however, he is still of the opinion that four companies should be at Montgomery, they can be sent from the troops now in this command, the late second district. I would state there never have been over three companies at Montgomery, and that I do not know of a single reason for troops being at Montgomery than any other town in the State.

GEO. G. MEADE,  
*Major General United States Army.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Telegram.]

HEADQUARTERS DEPARTMENT OF THE SOUTH,  
*Atlanta, Georgia, August 8, 1868.*

Colonel SPRAGUE,  
*Commanding District of Florida, St. Augustine, Florida:*

Your course in receiving and confining criminals against the laws of the State of Florida, on the urgent application of the governor, is disapproved, and you are hereby notified that there is no authority vested in you as district commander to grant or deny any application of the governor, but the same should be referred to these headquarters. You will require the governor to call upon the legislature, whose duty it is to provide for the safe-keeping of criminals, to take the necessary steps to have this duty discharged, and you will abstain from assuming any further respon

sibility in such matters, without specific instructions from these headquarters. However lamentable may be the state of affairs, as reported, you have no power to remedy it, and if the governor is unable to enforce law and order in the State, he should so report to the President, when orders will be given for the military power to intervene.

GEO. G. MEADE,

*Major General U. S. A., Commanding.*

Official:

S. F. BARSTOW,

*Acting Assistant Adjutant General.*

Official:

R. C. DRUM,

*Assistant Adjutant General.*

HEADQUARTERS DISTRICT OF FLORIDA,

*St. Augustine, Florida, August 8, 1868.*

Major General GEORGE G. MEADE,

*Commanding Department of the South:*

Your telegram of to-day is received, and will be rigidly enforced. I have called upon Governor Read to take charge of the prisoners at once.

JOHN T. SPRAGUE,

*Colonel Commanding.*

Official:

S. F. BARSTOW,

*Acting Assistant Adjutant General.*

Official:

R. C. DRUM,

*Assistant Adjutant General.*

HEADQUARTERS DEPARTMENT OF THE SOUTH,

*Atlanta, Georgia, August 10, 1868.*

Brevet Major General E. D. TOWNSEND,

*War Department, Washington:*

I propose to concentrate the troops in North and South Carolina in the same manner as I have done in the States composing the late third military district. In North Carolina I propose to concentrate the 40th infantry at Goldsboro', the squadron of the 5th cavalry at Raleigh, and to occupy Forts Johnson and Macon each with a company of the 5th artillery. In South Carolina I design concentrating the 8th infantry at Columbia, the six companies of the 6th infantry at Charleston, and to order the squadron of the 5th cavalry now at Aiken, and the light battery now at Columbia, to this place, to form a reserve for the whole department. The four companies of the 12th infantry I propose to send to Savannah, so that I can concentrate at this point the 33d regiment of infantry. I desire these proposed movements may be laid before the General-in-chief and Secretary of War, and their approval or disapproval transmitted at the earliest moment.

GEO. G. MEADE,

*Major General.*

Official:

R. C. DRUM,

*Assistant Adjutant General.*

[Dated Washington, D. C., August 11, 1868.—Received at Atlanta, Georgia, August 11.]

Major General GEORGE G. MEADE, *U. S. A.*:

Your dispatch of 10th received, and disposition of troops approved, with qualifications in my despatch to you at Charleston, dated 7th instant, as follows: two companies will remain at Montgomery, that being the capital of the State. In view of force you design for Atlanta, they can be taken from any point you deem best.

By command of General Grant:

Official:

E. D. TOWNSEND,  
*Assistant Adjutant General.*

R. C. DRUM,  
*Assistant Adjutant General.*

[Dated Washington, D. C., 1868.—Received at Atlanta, Georgia, August 20, 1868.]

Major General GEO. G. MEADE,  
*Commanding Department of the South:*

The following telegram, which has been received by the Secretary of War, is referred to you for such action as you may deem necessary:

MONTGOMERY, ALABAMA, August 20, 1868.

Hon. J. M. SCHOFIELD, *Secretary of War:*

It is understood that a company of the 33d United States infantry is at Selma, under marching orders. I hope the company will be permitted to remain there for the present. I think their presence there indispensable to the preservation of peace.

WM. H. SMITH,  
*Governor of Alabama.*

By order of Secretary of War.

J. C. KELTON,  
*Assistant Adjutant General.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

HEADQUARTERS DEPARTMENT OF THE SOUTH,  
*Atlanta, Georgia, August 20, 1868.*

ADJUTANT GENERAL, *Washington, D. C.:*

Despatch in reference to troops at Selma, Alabama, received; has been referred to Brevet Brigadier General Ruger, commanding in that State, and as soon as his report is received the department will be notified of action, if any is taken.

GEO. G. MEADE,  
*Major General.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

HEADQUARTERS DEPARTMENT OF THE SOUTH,  
*Atlanta, Georgia, August 20, 1868.*

Brevet Brigadier General RUGER,  
*Huntsville, Alabama :*

Governor of Alabama telegraphs Secretary of War that the presence of a company of troops at Selma is indispensable to the preservation of the peace. Please communicate with the governor, and ascertain the grounds on which such opinion is predicated, whether general, and applies to all towns in Alabama where there is a large proportion of negroes, or whether there are any local causes rendering it likely that such contingencies as justify the intervention of United States troops will incidentally occur; and communicate with commanding officer at Selma for report on condition of affairs. In other words, report in full, to enable me to decide whether any modification of existing orders, based on principles communicated to you, is required at Selma. Also report why that company is so long in obeying the order of concentration issued several weeks since.

GEO. G. MEADE,  
*Major General.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Dated Huntsville, Alabama, August 21, 1868.—Received at Atlanta August 21.]

Major General GEO. G. MEADE,  
*Commanding Department of the South :*

Telegram of 20th received to-day. Following received from Governor Smith in reply to mine: "Application as to company at Selma is based on application of good citizens of that city. They fear disturbance if the company is removed, and think its mere presence will secure tranquillity." This application is in reference to that company only, and for the reasons here given. Company from Selma will be here to-day. Will send full report by mail. No emergencies at Selma, I think.

THOS. H. RUGER,  
*Colonel 33d Infantry, Brevet Brigadier General,  
 Commanding District of Alabama.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Cipher telegram.]

HEADQUARTERS DEPARTMENT OF THE SOUTH,  
*Atlanta, Georgia, August 17, 1868.*

General RAWLINS,  
*Chief of Staff, Washington, D. C. :*

When may I expect the instructions of the Secretary of War referred to by you in your telegram of the 31st ultimo? I am awaiting them to

instruct commanders of districts and communicate with governors of States.

GEO. G. MEADE,  
*Major General United States Army.*

Sent in cipher.

J. C. GREGG, *Cipher Operator.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Dated Washington, D. C., August 20, 1868.—Received at Atlanta, Georgia, August 20.]

Major General GEO. G. MEADE, *Commanding*:

The subject-matter of your despatch is still under consideration. The answer, however, will probably be similar to instructions sent to General Buchanan.

JOHN A. RAWLINS,  
*Chief of Staff.*

Received in cipher.

J. C. GREGG, *Cipher Operator.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Cipher telegram.]

HEADQUARTERS DEPARTMENT OF THE SOUTH,  
*Atlanta, Georgia, August 21, 1868.*

Brevet Major General RAWLINS,  
*Washington, D. C.:*

Can you send me by telegraph an official copy of instructions to General Buchanan?

GEO. G. MEADE, *Major General.*

Sent in cipher.

J. C. GREGG, *Cipher Operator.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

WAR DEPARTMENT,  
*Washington, D. C., August 22, 1868.*

Major General GEO. G. MEADE,  
*Commanding Department South, Atlanta, Georgia:*

The following instructions are sent to General Buchanan:

HEADQUARTERS OF THE ARMY,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, D. C., August 10, 1868.*

Brevet Major Gen. ROBERT C. BUCHANAN, U. S. A.,  
*Commanding Department of Louisiana, New Orleans, La.:*

The following instructions from the Secretary of War are furnished for your government, to the end that the necessary aid may be rendered

by the United States as promptly as possible. In any case of insurrection or domestic violence in the States embraced in your military department, you will keep yourself informed of the condition of affairs in said States and communicate promptly by telegraph to the War Department, through the headquarters of the army, any facts which may make it the duty of the President under the Constitution and laws to employ the military forces of the United States. You will also maintain such disposition of the troops under your command that they may be ready to act without delay upon receipt of the President's orders; stationing them at, or from time to time moving them to, points where you may have reason to apprehend a necessity for their use.

The following extracts from the Constitution and laws of the United States indicate the condition under which the military forces of the United States may be lawfully employed to suppress insurrection against the government of any State:

The United States shall guarantee to every State in the Union a republican form of government and shall protect each of them against invasion, and on application of the legislature, or of the executive when the legislature cannot be convened, against domestic violence.—(Constitution, Article 4, section 4th.)

And in case of an insurrection in any State against the government thereof it shall be lawful for the President of the United States, on application of the legislature of such State, or of the executive when the legislature cannot be convened, to call forth such number of the militia of any other State or States as may be applied for, as he may judge sufficient to suppress such insurrection. And section 3: Provided always, and be it further enacted, that whenever it may be necessary in the judgment of the President to use the military force hereby directed to be called forth, the President shall forthwith, by proclamation, command such insurgents to disperse and retire peaceably to their respective abodes within a limited time.—(Act of Congress approved February 28, 1795, section —.)

*Be it enacted, &c.,* That in all cases of insurrection or obstruction to the laws either of the United States or of any individual State or Territory where it is lawful for the President of the United States to call forth the militia for the purpose of suppressing such insurrection or of causing the laws to be duly executed, it shall be lawful for him to employ for the same purposes such part of the land or naval forces of the United States as shall be judged necessary, having first observed all the prerequisites of the law in that respect.—(Act of Congress approved March 3, 1807.)

By command of General U. S. Grant:

E. D. TOWNSEND,  
*Assistant Adjutant General.*

JOHN A. RAWLINS,  
*Chief of Staff.*

Received in cipher,

JOHN C. GREGG,  
*Cipher Operator.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

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BORDENTOWN, N. J., September 14, 1868.

General R. C. DRUM, *Atlanta, Georgia:*

Advise governor of North Carolina that I shall not change the disposition of troops for the purpose indicated in his telegram. If any actual resistance to law, which he cannot suppress, occurs, I will promptly use

the troops, but until overt acts occur I shall keep them ready for emergencies in any part of the State. The civil authorities must attempt, at least, to preserve the peace.

Send copy of telegram to General Miles.

GEO. G. MEADE,  
*Major General.*

A true copy :

R. C. DRUM,  
*Assistant Adjutant General.*

[Telegram.—Dated Atlanta, Georgia, September 22, 1868.—Received at Philadelphia, September 22, 1868.]

Major General MEADE, *Philadelphia :*

Reports relative to difficulties at Camilla, Georgia, are so exaggerated that it is difficult to get at the truth. General Sibley promises to send me report of investigation as soon as received. All accounts agree that it was commenced by white men. Will I continue to send papers to you?

R. C. DRUM,  
*Assistant Adjutant General.*

Official :

R. C. DRUM,  
*Assistant Adjutant General.*

PHILADELPHIA, September 22, 1868.

General DRUM, *Atlanta, Georgia :*

Send an officer to inquire into and report all the facts connected with the riot said in this morning's telegram to have occurred yesterday at Camilla, in southwest Georgia, unless you have already reliable information on the subject. Reply to-day to this place, to-morrow to Washington.

GEO. G. MEADE,  
*Major General.*

A true copy :

R. C. DRUM,  
*Assistant Adjutant General.*

[Telegram.]

ATLANTA, GEORGIA, September 22. 1868.

Major General G. G. MEADE, U. S. A., *Philadelphia, Pa. :*

Lieutenant O. H. Howard, agent Freedmen's Bureau, has just reported under date of September 20, giving full account of the affairs at Camilla, Georgia. He states that unless vigorous measures are instituted and troops stationed there for protection of all parties, there will be much blood shed ; he says he cannot restrain the people.

R. C. DRUM,  
*Assistant Adjutant General.*

A true copy :

R. C. DRUM,  
*Assistant Adjutant General.*

PHILADELPHIA, *September 22, 1868.*

General R. C. DRUM:

My knowledge of Lieutenant Howard does not induce much importance to his report, and I am not aware of any authority he has to restrain any one, he being, as I understand, an agent of the Freedmen's Bureau. I am not disposed to send troops until there is satisfactory evidence of the inability of the civil authorities to suppress any disorder, and until the proper call is made by the governor of the State. Captain Mills is an officer in whose judgment I should place great reliance. He should be instructed to inquire into the conduct and capacity of the civil authorities and to report whether they have done their duty. Keep me advised promptly by telegraph, and direct General Sibley to have troops ready to send, in case I should deem it proper to send them. A telegram will reach me at the War Department to-morrow.

GEO. G. MEADE,  
*Major General.*

A true copy:

R. C. DRUM,  
*Assistant Adjutant General.*

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[Telegram.]

ATLANTA, GEORGIA, *September 23, 1868.*

Major General MEADE,

*Care War Department, Washington, D. C.:*

Your two telegrams reached me last night. Your wish relative to detail of Captain Mills had been anticipated, as my telegram of yesterday will have informed you. Both houses of the State legislature have passed resolutions that the presence of troops is not necessary, and that the civil authorities are competent to take care of matters. General Sibley has been instructed as you direct.

R. C. DRUM,  
*Assistant Adjutant General.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

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[Cipher.]

WASHINGTON, *September 23, 1868.*General DRUM, *Atlanta, Georgia:*

Call by telegraph on commanders of districts to submit a project for the distribution of their commands within the limits of their districts for the purpose of preserving order during the approaching presidential election, and the political campaign preceding the same. The posts should not be less than a company, and so distributed as to enable detachments to be made to places in the vicinity if necessary. The troops to be prepared to go into camp, if quarters cannot be temporarily hired. The movement in regard to supplies and quarters to be considered as that of a movable



column, the troops being held ready at any moment to move from point to point, as may be necessary. Let this call be answered in writing, and direct district commanders to confer with governors of States.

GEO. G. MEADE,  
*Major General.*

A true copy:

R. C. DRUM,  
*Assistant Adjutant General.*

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[Cipher telegram.]

HEADQUARTERS DEPARTMENT OF THE SOUTH,  
*Atlanta, Georgia, September 30, 1868.*

Hon. SECRETARY OF WAR, *Washington, D. C.:*

Morning's telegrams announce you are to give to-day to the Alabama delegation a letter of instructions addressed to me. If this is so, and I shall be glad to hear it is, I beg you will send me a copy by telegraph, as it will aid me in the order I am preparing distributing the troops. Everything is quiet in the department, the Camilla affair having only resulted in a little political riot. I am awaiting report of investigating officer to transmit the same.

GEO. G. MEADE,  
*Major General.*

A true copy:

R. C. DRUM,  
*Assistant Adjutant General.*

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[Cipher telegram.—Dated War Department, September 30, 1868.—Received at Atlanta, Georgia, September 30.]

Major General MEADE,

*Commanding Department of the South:*

The instructions sent you to-day consist of a reference of the Alabama memorial to you, for your action under the instructions heretofore given, and with the President's wish that you exercise, within the limits of lawful authority, full discretion and preserve the peace.

J. M. SCHOFIELD,  
*Secretary of War.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

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[Telegram.—Dated Columbia, South Carolina, October 3, 1868.—Received Atlanta, Georgia, October 3, 1868.]

Major General MEADE, *Commanding:*

Since writing affairs are greatly aggravated. Several wanton murders have been committed. A State senator on his way home was met by a mob at Chester last night, who threatened his life if he attempted to proceed, and he was compelled to return. Armed men patrol the roads. The civil authorities are powerless to enforce the laws. Instructions to General Bomford are necessary for the maintenance of the supremacy of the State government.

R. K. SCOTT, *Governor.*

Official:

R. C. DRUM,  
*Assistant Adjutant General.*

[Telegram.]

HEADQUARTERS DEPARTMENT OF THE SOUTH,  
*Atlanta, Georgia, October 3, 1868.*

R. K. SCOTT, *Governor, Columbia, South Carolina:*

Colonel Bomford, under date of September 15, was furnished with the instructions received by me from the War Department. I have no authority to employ the troops except under the conditions specified in the letter from the War Department, dated August 25, a copy of which will be sent by mail, and which you can see by asking Colonel Bomford, as it was sent by him on the 15th instant. I shall in a few days issue an order distributing, till after the election, the troops under Colonel Bomford's command, but they will not be able to act except under the prescribed conditions given, and when duly called on in the manner indicated in the instructions.

GEO. G. MEADE,  
*Major General.*

A true copy:

R. C. DRUM,  
*Assistant Adjutant General.*

[Cipher telegram.]

HEADQUARTERS DEPARTMENT OF THE SOUTH.  
*Atlanta, Georgia, October 6, 1868.*

General GRANT, *Washington, D. C.:*

I forward an outline of order to be at once issued on which I desire the comments of yourself, Secretary of War, and the President. I am of opinion the moral effect of this order, and the distribution of troops, will tend greatly to allay existing excitement, and to remove some existing delusions. In connection with this measure it would have a very beneficial effect if a movement could be made, say of one or two companies, to each of the following places: Raleigh, Columbia, Atlanta, and Montgomery, to act as reserves until after the election. The mere arrival and passage through the country will have a great effect, as indicating the determination of the authorities at Washington to sustain me.

GEO. G. MEADE,  
*Major General.*

A true copy:

R. C. DRUM,  
*Assistant Adjutant General.*

[Cipher telegram.—Dated War Department, Washington, D. C., October 8, 1868.—Received at Atlanta, Georgia, October 8.]

Major General GEORGE G. MEADE,  
*Commanding Military Department of the South:*

Your despatch of October 6 has been submitted to the General of the army, the Secretary of War and the President of the United States. The General approves your proposed order. The President and Secretary of

War do not deem it necessary to add anything to the instructions heretofore given you, believing those instructions ample for your government.

E. D. TOWNSEND,  
Assistant Adjutant General.

Official:

R. C. DRUM,  
Assistant Adjutant General.

*Statement of receipts and expenditures under the reconstruction acts in the third military district from May 21, 1867, to November 5, 1868.*

RECEIPTS.

Amount received from May 21, to December 31, 1867:

1867, May 21. Received from United States Treasurer.....	\$97,222 22	
Aug. 30. Received from United States Treasurer.....	78,114 79	
Total receipts .....		\$175,337 01

EXPENSES.

Amount expended from May 21 to December 31, 1867, viz:

Pay of civil employés.....	\$120,390 69	
Mileage and transportation .....	19,262 30	
Stationery and printing.....	24,663 99	
Postage and telegraphing.....	3,678 17	
Office rent and furniture.....	2,125 73	
Horses and equipments.....	1,524 40	
Wagon and harnes.....	450 85	
Forage.....	101 77	
Fuel and light.....	58 45	
1867, Dec. 31. Total expenses to date .....		172,256 37
1868, Jan. 1. Balance on hand .....		3,080 64

*Receipts and expenditures from January 1, 1868, to November 5, 1868.*

RECEIPTS.

1868, Jan. 1. Balance cash in hand.....	\$3,080 64	
March 1. Received from United States Treasurer.....	97,000 00	
April 10. Received for sale of property.....	589 00	
May 1. Received of D. G. Curtis on account fine imposed by military commission.....	300 00	
June 16. Received from United States Treasurer.....	87,701 55	
June 16. Received for sale of property .....	20 00	
Sept. 9. Received for sale of property.....	63 74	
Total receipts .....		\$188,754 93

EXPENSES.

Pay of civil employés.....	\$104,072 12
Transportation and mileage.....	17,085 51
Stationery and printing.....	6,572 00
Postage and telegraphing.....	3,659 28
Office rent and furniture.....	3,141 57
Fuel and light.....	224 12
Forage.....	634 73
Wagon, harness, &c.....	122 08

Military commission .....	\$14,180 00
Printing press and material .....	1,176 52
Miscellaneous .....	154 31
Revenue tax deposited to the credit of United States .....	300 34
Total expenses .....	<u>\$151,322 58</u>
1868, Nov. 5. Balance on hand transferred to Major J. W. Nicholls .....	<u>37,432 35</u>

## RECAPITULATION.

Total amount received from May 21, 1867, to December 31, 1867. ....	\$175,337 01
Total amount received from January 1, 1868, to November 5, 1868. ....	185,674 29
Total receipts .....	<u>\$361,011 30</u>
Total amount expended from May 21, 1867, to December 31, 1867. ....	\$172,256 37
Total amount expended from January 1, 1868, to November 5, 1868. ....	151,322 58
Total expended .....	<u>323,578 95</u>
1868, Nov. 5. Balance on hand transferred to Major J. W. Nicholls .....	<u>37,432 35</u>

*Statement showing the amount of labor done at headquarters third military district and department of the south from January 1, 1868, to November 1, 1868, not including papers specially relating to registration, elections, and appointments to office, &c., belonging to civil bureau.*

Number of letters received .....	5,432
Number of miscellaneous papers, (inspection reports of property, certificates of disability, furloughs, &c.,) received and acted upon .....	2,026
Number of letters sent .....	1,883
Number of endorsements .....	6,084
Number of general orders issued .....	140
Number of special orders issued .....	339

R. C. DRUM, *Assistant Adjutant General.*

HEADQUARTERS DEPARTMENT SOUTH, November 16, 1868.

HEADQUARTERS DEPARTMENT OF THE SOUTH,  
OFFICE OF JUDGE ADVOCATE,  
*Atlanta, Georgia, November 1, 1868.*

GENERAL: I have the honor to transmit herewith a report of the number of cases tried in the 3d military district from January 1, 1868, to July 31, 1868, and in the department of the south from August 1, 1868, to October 31, 1868.

The nine cases reported as "Trial commenced but not completed" were of the nine prisoners charged with the murder of G. W. Ashburn, whose trial was commenced on the 29th of June, 1868, but was suspended July 21, 1868, after the prosecution and a portion of the defence were completed, owing to "the probable immediate admission of the State of Georgia and consequent cessation of military authority," and the prisoners were turned over to the civil authorities. [See G. O. No. 12, C. S., Headquarters Department of the South.]

The two cases tried by military commission, "Awaiting the action of the President," are those of Henry Moyatt, private company B, 16th Infantry, and David Cameron, private company C, 5th cavalry, charged with murder. The first of these cases was forwarded July 18, 1868, and

the latter July 20, 1868. The only prisoner tried by military commission in the 3d military district, now undergoing punishment, is William J. Brannen, found guilty of "voluntary manslaughter," (G. O. No. 96, Headquarters 3d Military District, series 1868,) who was, however, sent to the penitentiary of the State of Georgia, and on the cessation of military authority was turned over to the State authorities.

I am, very respectfully, your obedient servant,

WM. H. SMYTH,

*Capt. 16th Inf., Bt. Major U. S. A., Acting Judge Advocate.*

Brevet Brig. Gen. R. C. DRUM, U. S. A.,

*Assistant Adjutant General, Department of the South.*

#### HEADQUARTERS DEPARTMENT OF THE SOUTH,

##### CHIEF QUARTERMASTER'S OFFICE,

*Atlanta, Georgia, November 9, 1868.*

GENERAL: As directed in your letter of October 28, 1868, I have the honor to submit the following report of operations in the quartermaster's department under my charge from the 1st of January, 1868, to the 1st of November, 1868.

From January until August 1 the department embraced only the late third military district, including the States of Georgia, Alabama, and Florida. Since that time its operations have included, in addition, the States of North and South Carolina, (second military district.)

#### TRANSPORTATION.

The troops being scattered over five States in small posts, expenditures for transportation have been very large.

On the 1st of November, there were 56 posts to be supplied, 15 in Georgia, 9 in Alabama, 9 in Florida, 11 in North Carolina, and 13 in South Carolina.

The majority of the posts being situated on the lines of railroad, the expenses for railroad transportation have been very large. A great proportion of these roads are indebted to the United States, and in such cases no payments have been made.

In cases where the posts were remote from rail or water transportation, supplies had to be hauled in wagons. For the post of Dahluouega, for instance, supplies had to be hauled 60 miles.

The posts of Barrancas, Tampa Bay, Key West, and Tortugas, are supplied, by contract with J. C. McKibben, from New Orleans, two steamers each making a monthly trip, which costs, in addition to fuel, \$7,950 per month.

The posts of Jacksonville, Fernandina, and Saint Augustine, Florida, were, until August, supplied from the depot at Savannah, Georgia. Since August 1 they have been supplied from the depot at Charleston, South Carolina, by private steamers.

#### DEPOTS FOR SUPPLIES.

Depots of supplies are now established as follows: One at Charleston, South Carolina, under Brevet Major George E. Alden, assistant quartermaster; and one at Atlanta, Georgia, under charge of Brevet Captain H. J. Farnsworth, 34th United States infantry.

In conducting the extensive operations of this department, I have

been aided by the intelligent and efficient co-operation of Brevet Major G. E. Alden, assistant quartermaster, and Brevet Captain H. J. Farnsworth, 34th infantry, in charge of the depot, and I desire to call your special attention to their merits as officers of this department.

Until August, depots were established, one at Mobile, Alabama, under charge of Brevet Lieutenant Colonel C. A. Reynolds, assistant quartermaster, and one at Savannah, Georgia, under charge of Major Alden, assistant quartermaster. These are now discontinued, as it is found to be more economical to supply all posts from Charleston and Atlanta.

Supplies from Mobile, Alabama, are now drawn from New Orleans, and for the North Carolina posts from Fortress Monroe, Virginia.

Supplies of forage for the depot at Atlanta are furnished from Tennessee, and for the depot at Charleston from New York. To save transportation, whenever possible, contracts have been made for the delivery of forage and other supplies after due advertisement.

There have been, on an average, 416 horses and 403 mules supplied with forage during the year, very little of which has been raised in the department, most of it having been brought from New York, Tennessee, and New Orleans.

#### BARRACKS AND QUARTERS.

The expenditures in this department have been large. As a general rule in the localities occupied, the government had no buildings, and where there were quarters they were in very bad repair.

Permanent barracks for 1,000 men and their officers have been completed at Atlanta, Georgia, and for four companies at Mobile, Alabama.

Temporary quarters have been supplied at Huntsville, Alabama, Atlanta, Georgia, and Tampa Bay, Florida, besides extensive repairs at most of the other posts where there are public buildings.

Leases have been made for quarters for troops where it was practicable, and where there were no public quarters. Tents have only been used when it was not possible to procure buildings. Your orders, however, required that a full supply of camp equipage should be on hand, to put the whole force in the department in tents at a moment's notice, which has been done.

As a rule, fuel has been supplied at very low rates throughout the department.

#### CLOTHING, CAMP AND GARRISON EQUIPAGE.

But two depots for the supply of clothing, camp and garrison equipage have been established, one at Charleston, South Carolina, under charge of Captain Addison Barrett, M. S. K., and a smaller one at Atlanta, Georgia, under charge of Brevet Captain H. J. Farnsworth.

Many accounts for outstanding debts against the government have been adjusted during the year.

The employment of civilian clerks in the department has been regulated by the Quartermaster General.

All leases and contracts of every kind have been executed at this office, and General Orders No. 97, Adjutant General's office, November 12, 1867, complied with in all respects.

The following is a detailed account of the different items for which expenditures have been made in the third military district from January 1 to July 31, and in the department of the south from August 1 to November 1, 1868:

*Expenditures for third military district from January 1 to July 1, 1868.*

Regular supplies of the quartermaster's department:	
Fuel, forage, straw, stationery.....	\$88,803 49
Incidental expenses:	
Postage, telegrams, military courts, extra duty, clerks, &c..	171,820 99
Mileage to officers.....	29,583 00
Army transportation:	
Troops, stores, hire of vessels, &c.....	199,615 61
Barracks and quarters:	
Commutation, rent, &c.....	190,923 25
Total.....	<u>680,746 34</u>

*Expenditures in the department of the south from August 1 to November 1, 1868.*

Regular supplies.....	\$43,686 89
Incidental expenses.....	40,635 37
Mileage to officers.....	8,338 00
Army transportation.....	28,460 00
Barracks and quarters.....	36,422 86
	<u>157,443 12</u>

Total expenditures from January 1 to November 1, 1868, \$838,189 46.

## TROOPS AND STORES TRANSPORTED.

*Third military district.*—Officers, 490; men, 11,112; animals, 473; stores, 2,992 tons.

*Department of the south.*—Officers, 247; men, 7,801; animals, 890; stores, 2,270 tons.

*Total.*—Officers, 737; men, 18,913; animals, 1,363; stores, 5,262 tons.

*Number of animals foraged from January 1 to August 1, 1868.*

*Third military district.*—Horses, 324; mules, 289.

*Number of animals foraged from August 1 to November 1, 1868.*

*Department of the south.*—Horses, 508; mules, 516.

The construction and care of the national cemeteries occupied a large share of the attention of this department, to whose charge the work is intrusted. There are 10 national cemeteries in this department, as follows:

At Marietta national cemetery, from January 1 to July 31, 1868, there were 876 remains of Union soldiers brought from Montgomery, Alabama, and other points in the district, and interred in the Marietta national cemetery. During the same time, the work of macadamizing the walks and avenues, and making stone gutters to carry off the water, was being carried forward with a working force averaging 44 men per month. Several thousand yards of gutter were made, and a large portion of the walks and avenues macadamized, at a cost of \$10,623 25.

At Andersonville national cemetery there were 36 remains of Union soldiers interred. During the month of January, 1868, there were

employed 280 laborers in laying out sections, &c., and grading avenues and walks. In February and March, 1868, the laboring force was reduced to 110, and the work of grading, draining, &c., completed. During the months of April, May, June, and July, 1868, the laboring force was reduced to an average of 15 men per month; these were employed in repairing the fence, taking care of government property at Andersonville, and keeping the cemetery in good condition. This cemetery is known as the rebel prison, and where over 1,300 of our brave soldiers are interred, who were the victims of rebel cruelty. The amount expended on this cemetery to place it in good condition during the time referred to was \$15,500 64. The cemeteries at Andersonville and Marietta have been under the immediate charge of First Lieutenant A. W. Corliss, 33d infantry, to whose energy and efficiency I desire to call your special attention.

The national cemetery at Barrancas, Florida, has been greatly enlarged, the old one being too small for the interring of the soldiers, sailors, and marines who died or were killed during the late war. A new wall of brick has been erected on the north and partially on the east and west sides of the cemetery. The walks and avenues have been graded and drained, and a flagstaff 100 feet high erected in the centre; the cemetery placed in good condition, sections and avenues made uniform; 998 remains of Union soldiers, sailors, and marines have been interred, at an expense of \$18,231 90.

At Mobile national cemetery there was an average of 11 men employed. They interred 204 remains of Union soldiers, made coffins for the same, graded and drained the walks and avenues, sodded the graves, built a verandah for superintendent's lodge, and made, painted, lettered and numbered headboards for the graves, at an expenditure of \$3,383 35.

During this time, and previous to the removal of the bodies to Marietta national cemetery, there was seventy-five dollars (\$75) expended at the Montgomery cemetery.

In the department of the south, from August 1 to October 31, 1868, the national cemeteries were continued. At Marietta fifty (50) laborers were employed in macadamizing walks and avenues; the different sections were much improved, many feet of stone gutter made, and one section, which is an ornament to the cemetery, completed. The amount expended from August 1 to October 31, 1868, was three thousand nine hundred dollars and ninety-six cents, (\$3,900 96.)

At Andersonville national cemetery twelve (12) men have been employed in taking care of the graves, fence, and public property, at an expense of eight hundred and fifty-three dollars and fifty cents, (\$853 50.)

At Mobile national cemetery fourteen (14) men have been employed in filling up sections, putting up headboards, and placing the cemetery in good condition, at an expense of fourteen hundred and thirty-five dollars, (\$1,435.)

At Barrancas national cemetery the work of completing the brick enclosure has been carried forward, and steps taken for the erection of a brick lodge for keeper; about thirty-five (35) men have been employed during the past three months, and the expenditures amount to two thousand three hundred dollars, (\$2,300.)

At Beaufort national cemetery the work of keeping the cemetery was done by the superintendent and three (3) men, at an expense of one hundred dollars, (\$100.)

At Florence national cemetery only one man was required, at a cost of fifty dollars (\$50.)

Wilmington, North Carolina, national cemetery has been under charge



of the superintendent, and no other expense incurred, the cemetery having been completed, with superintendent's lodge, graves sodded, and walks and avenues graded.

At Newbern national cemetery a superintendent's lodge has been erected, and a force of three (3) men employed to place the cemetery in good condition, at a cost of eleven hundred and fourteen dollars, (\$1,114.)

At Raleigh, North Carolina, national cemetery a superintendent's lodge has been erected, a well sunk, and the cemetery placed in a creditable condition, at a cost of nine hundred and thirty-four dollars, (\$934.)

At Salisbury, North Carolina, national cemetery steps have been taken to have it properly drained, and a keeper's lodge erected; one man has been employed to keep the fence and graves in order, at a cost of thirty dollars, (\$30.)

#### RECAPITULATION.

Expended by me on national cemeteries in the department of the south, from January 1, 1868, to October 31, 1868, as follows:

Marietta, Georgia .....	\$14,449 11
Andersonville, Georgia .....	16,354 14
Mobile, Alabama .....	4,818 35
Barrancas, Florida .....	20,531 90
Beaufort, South Carolina .....	100 00
Florence, South Carolina .....	30 00
Wilmington, North Carolina .....	30 00
Newbern, North Carolina .....	1,114 00
Raleigh, North Carolina .....	948 00
Salisbury, North Carolina .....	30 00
Total .....	<u>58,405 50</u>

The cemeteries are all in an unfinished condition, and still require large expenditures to make them worthy of a rich and powerful nation seeking, by the care of these remains, to show its respect for the brave men who died in the great struggle for a nation's existence, and I would recommend further appropriations for the purpose of completing them.

No effort has been spared on my part to enforce a strict economy, and to introduce proper system into the administration of the various details of quartermasters' officers in this military department, and to require from all officers accountable for public funds or property a rigid accountability for the same.

Very respectfully, your obedient servant,

R. SAXTON,

*Brevet Brigadier General U. S. A., Chief Quartermaster.*

Brevet Brigadier General R. C. DRUM,

*Assistant Adjutant General, Atlanta, Georgia.*

#### HEADQUARTERS DEPARTMENT OF THE SOUTH,

CHIEF COMMISSARY'S OFFICE,

Atlanta, Georgia, November 11, 1868.

SIR: In obedience to instructions from the commanding general, I have the honor to submit the following report of the operations of the subsistence department from the 1st of January last to the 1st of November, 1868:

The twenty (20) posts in Georgia, Florida, and Alabama occupied by troops on the 1st of January were required to keep on hand 60 days' supply, excepting Key West and Fort Jefferson, which were required to keep on hand 90 days' supply, in consequence of the uncertainty of communication during the existence of quarantine regulations, and were supplied from the following depots, viz: New York, Louisville, and New Orleans—New York supplying by water and land transportation the posts on the Atlantic coast, and as far west as Augusta, Georgia; Louisville, by railroad, those in the interior as far south as Macon, Georgia, and New Orleans supplying by water transportation all those on the Gulf coast, Mobile bay, and as far north as Montgomery, Alabama. The majority of the posts being thus supplied by water transportation, freights were comparatively cheap.

With few exceptions, all the component parts of the rations were thus supplied, it being impossible to purchase in these States to advantage anything except fresh beef, rice, and flour—the latter occasionally. Efforts to purchase flour proved unsuccessful, excepting at Atlanta, Macon, and Dahlonega, Georgia; it could not be purchased to advantage even at these places at all times. Though wheat is raised in considerable quantities, yet labor, machinery, &c., are so much higher here than in Kentucky and Tennessee, that the wheat can be bought here, shipped to Louisville, converted into flour, and returned cheaper than it can be manufactured here. Northern buyers paying cash down have the preference.

Fresh beef is obtained in the vicinity of each post throughout the three States under contracts made at this office, as required by General Orders No. 97 from War Department, dated November 12, 1867, at an average price of ten (10) cents per pound, and of a quality rather below the medium, being in the majority of cases native cattle. During the winter months, when northern cattle can be brought south, the markets improve, as far south as Savannah; but from May until November northern cattle cannot live in this climate if brought into it during these months.

Rice was purchased in the Savannah market to supply all the posts excepting Huntsville, Alabama, and those posts supplied by New Orleans.

Forced purchases of salt meats, sugar, and soap have occasionally been made at various posts, in consequence of stores being delayed in transportation, but always at an enhanced price, for the reason that the communities in the vicinities of the posts were supplied from these same markets, viz: New York, Louisville, and New Orleans.

The issue of rations to refugees and freedmen has been gradually decreasing, until at the present time the number issued to is very limited, comprising only those in hospitals and asylums.

When the second military district, composed of the States of North and South Carolina, was added, it was found that the thirteen (13) posts in those States were supplied from New York through the depots at Charleston and Newbern. Flour was being purchased at Columbia, South Carolina, and Raleigh and Morganton, North Carolina; these being the only points where flour could be purchased to advantage in those two States, and rice in Charleston only. Fresh beef was supplied at all the posts at an average of ten (10) cents per pound. Gratuitous issues were being made to indigent whites upon the authority of the commanding general of that district. These issues were stopped by authority of the commanding general department of the south.

Stores were sold to officers, agents, and teachers of the Freedmen's Bureau upon the same conditions as to officers of the army, by authority of the War Department. (See exhibit, marked A.) The amount to be

sold each month to one person is limited to \$20, and to each additional person in family \$10 worth additional.

The aggregate amount of subsistence funds expended in this department for purchase of subsistence supplies and for contingencies, from 1st January to 1st November, 1868, has been \$135,608 15, being an average of \$13,586 per month.

It being decided to break up many of the posts, and concentrate the troops at a few points in each State, the necessary orders were given concentrating the stores at the most convenient depots, disposing at public auction of such property as was not worth removal. In one or two instances these instructions were not carried out, owing to a change in orders that continued the occupancy of some posts ordered to be broken up. There being no official notice of this fact, stores and funds accumulated in excess of their wants.

Of the 57 officers who have performed the duties of assistant commissary of subsistence under my supervision, the majority of them have shown a commendable zeal and faithfulness. The exigencies of the service requiring the frequent absence of acting commissaries from their posts on detail or other duty, occasions great loss to the government in stores not having the proper care, while it is unjust to the officer, who is held to a strict accountability for the proper care of stores over which he can exercise no supervision on account of his absence on other duty. Commanding officers make no distinction in consequence of an officer's responsibility for stores or property, requiring of him as much as of those having no responsibility.

Upon receipt of orders from War Department, directing that soldiers be employed as clerks instead of civilians, knowing the difficulty of obtaining enlisted men of proper intelligence, every effort was made to lighten the duties of the officers, and the enclosed blank forms furnished to enable the acting commissaries of subsistence to give this office all the information required with as little labor as possible.

Very respectfully, your obedient servant,

THOMAS C. SULLIVAN,

*Brevet Lieut. Colonel, Capt. and Commissary of Subsistence.*

A.

[Circular No. 7.]

WAR DEPARTMENT,  
BUREAU OF REFUGEES, FREEDMEN AND ABANDONED LANDS,  
Washington, D. C., June 13, 1865.

\* \* \* \* \*

Rations will not be gratuitously issued to teachers of refugees or freedmen, but such teachers as are authorized by the assistant commissioners of this bureau, while actually on duty in their fields of labor, may purchase rations of the government under precisely the same rules which apply to such purchases when made by commissioned officers of the army.

\* \* \* \* \*

O. O. HOWARD,

*Major General, Commissioner Bureau of R., F., and A. L.*

Approved:

E. M. STANTON, *Secretary of War.*

Official copy:

M. FRANK GALLAGHER,  
*Brevet Capt. U. S. A., A. A. A. G.*

OFFICE COMMISSARY GENERAL OF SUBSISTENCE,  
*Washington City, January 17, 1868.*

COLONEL: The Secretary of War *ad interim* having approved of Circular No. 29, of the 13th of December, 1867, from the Bureau of Refugees, Freedmen and Abandoned Lands, providing that "all officers and agents of this [that] bureau may purchase subsistence stores from the subsistence department at government rates, and on the same terms as such purchases are made by officers of the army," you are furnished with the following as a full and authenticated list of such officers and agents who are authorized to make purchases of subsistence stores, under the provisions of paragraph 1,229, Revised Regulations, at points where the subsistence department has stores on hand for sale or issue within the third military district:

Names.	Late rank.	Station.
J. J. Knox.....	Captain 7th V. R. C.....	Athens, Georgia.
Frederick Moseback.....	Captain 11th..do.....	Atlanta, Georgia.
C. A. De Lamesa.....	Captain 11th..do.....	Rome, Georgia.
N. Sellars Hill.....	Captain 9th..do.....	Macon, Georgia.
W. F. White.....	Captain 7th..do.....	Augusta, Georgia.
George Wagner.....	First lieutenant 5th V. R. C..	Columbus, Georgia.
W. F. Martins.....	First lieutenant (unassigned)	Newman, Georgia.
James M. Laing.....	Surgeon-in-chief.....	Atlanta, Georgia.
M. F. Bowes.....	Acting assistant surgeon.....	Augusta, Georgia.
T. R. Clement.....	.....do.....do.....	Savannah, Georgia.
F. H. Matlock.....	.....do.....do.....	Macon, Georgia.
N. De Albigny.....	.....do.....do.....	Atlanta, Georgia.
D. D. Taulman.....	.....do.....do.....	Columbus, Georgia.
Charles Lodge.....	.....do.....do.....	Albany, Georgia.
C. H. Taylor.....	.....do.....do.....	Brunswick, Georgia.
F. S. Harris.....	.....do.....do.....	Darien, Georgia.
J. M. Couch.....	.....do.....do.....	Newton, Georgia.
Charles J. Kipp.....	Surgeon-in chief.....	Montgomery, Alabama.
W. G. Burleigh.....	Acting assistant surgeon.....	Selma, Alabama.
E. P. Fitch.....	.....do.....do.....	Huntsville, Alabama.
A. J. Gray.....	.....do.....do.....	Talledega, Alabama.
J. W. Moor.....	.....do.....do.....	Garland, Alabama.
J. W. Applegate.....	Surgeon-in-chief.....	Magnolia Springs, Florida.
G. W. Edwards.....	Acting assistant surgeon.....	Jacksonville, Florida.

Very respectfully, your obedient servant,

A. B. EATON,  
*Commissary General Subsistence.*

Brevet Lieut. Colonel THOMAS C. SULLIVAN,  
*Chief Commissary of Subsistence Third Military District,  
 Atlanta, Georgia.*

## MONTHLY REPORT.

*Report of subsistence stores on hand at \_\_\_\_\_, by \_\_\_\_\_, post commissary, \_\_\_\_\_, 186-.*

Articles.	Rations.		Remarks.
	On hand.	Required to keep on hand.	
Pork .....			I am issuing to—
Bacon .....			Troops .....
Ham .....			Citizens .....
Shoulders .....			Destitutes, white .....
Salt beef .....			Destitutes, black .....
Flour .....			Total .....
Hard bread .....			I am required to keep on hand — days' rations.
Corn meal .....			I have issued up to the — day of —, 186-.
Beans .....			
Peas .....			
Rice .....			
Hominy .....			
Coffee, green .....			
Coffee, roasted and ground .....			
Coffee, rye .....			
Tea .....			
Sugar .....			
Vinegar .....			
Candles .....			
Soap .....			
Salt .....			
Pepper .....			
Tobacco .....			
Additional.			
		Articles.	On hand.
		Smoked beef .....	pounds..
		Desiccated potatoes .....	do.
		Mixed vegetables .....	do.
		Potatoes .....	do.
		Onions .....	do.
		Dried apples .....	do.
		Dried peaches .....	do.
		White sugar .....	do.
		White fish .....	do.
		Mackerel .....	do.
		Molasses .....	gallons..
		Sauer-kraut .....	do.
		Pickles .....	do.
		Cans tomatoes .....	
		milk .....	
		peaches .....	
		assorted preserves .....	
		R. C. jelly .....	
		Tobacco .....	pounds..

OFFICE POST COMMISSARY,  
\_\_\_\_\_, 186-.

SIR: During the past month I have performed the duty of post commissary at \_\_\_\_\_, I am accountable for funds, stores, and property \_\_\_\_\_. Amount due the United States, \$ \_\_\_\_; deposited \_\_\_\_\_. I have turned over stores in bulk to \_\_\_\_\_.

*Number of persons not belonging to the army to whom rations have been issued during the month of ———, 186—.*

Classes.					Remarks.
1.	2.	3.	4.	5.	
Civilian employes.	Colored persons under direction of Freedmen's Bureau.	White persons not included in class 1.	Colored persons not included in classes 1 and 2.	Indians.	
No.	No.	No.	No.	No.	

The following are the employes in the subsistence department under my charge, rate of pay or *per diem*, and authority for their employment:

Civilians .....  
 Enlisted men .....

The supplies for this post are drawn from ———, and transported over ———. Fresh beef is supplied at — cents per pound under contract terminating ———, 186—. Soft bread is obtained from ——— bakery. In addition to my duties as acting commissary of subsistence, I also perform the duty of ———.

Very respectfully, your obedient servant,

NOTE.—This report must be forwarded to the office of the chief commissary of subsistence, department of the south, promptly at the end of each month.

HEADQUARTERS DEPARTMENT OF THE SOUTH,  
 MEDICAL DIRECTOR'S OFFICE,  
*Atlanta, Georgia, November 12, 1868.*

GENERAL: In compliance with instructions from headquarters department of the south, dated October 28, 1868, I have the honor to submit the following report of the operations of the medical department in Major General Meade's command during the period embraced between January 1, 1868, and October 31, 1868:

THIRD MILITARY DISTRICT.

There were on duty in the district January 1, 1868, 30 medical officers, serving at 26 stations—commissioned, 7; acting assistant surgeons, 23. From that date to July 31, 1868, 20 joined the command—commissioned, 2; acting assistant surgeons, 18; the whole number on duty in the period

being 50—commissioned, 9; acting assistant surgeons, 41. Of this number 13 left the command—commissioned, 2 (1 resigned, 1 transferred;) acting assistant surgeons, 11 (contracts determined;) leaving on duty in the district July 31, 1868, 37 medical officers, serving at 29 stations—commissioned, 7; acting assistant surgeons, 30.

There were on duty in the district January 1, 1868, 25 hospital stewards—hospital stewards United States army, 24; hospital steward, regimental, 1. From that date to July 31, 1868, 4 joined the command, the whole number on duty in the period being 29—hospital stewards United States army, 28; hospital steward, regimental, 1. Of this number 8 left the command—discharged, 6; transferred, 2—leaving on duty in the district July 31, 1868, hospital stewards United States army, 21.

There were in the district January 1, 1868, 25 post hospitals, having 496 beds, of which 292 were vacant.

There were in the district July 31, 1868, 22 post hospitals, having 438 beds, of which 238 were vacant.

There were in the district January 1, 1868, sick and wounded, 241; from that date to July 31, 1868, there were taken on sick report 7,622, the whole number of cases treated during the period being 7,863. Of this number there were: returned to duty, 7,391; discharged for disability, 37; transferred to government insane asylum, 1; desertions, 8; deaths from disease, 23; deaths from wounds and injuries, 10—leaving unfit for duty July 31, 1868, sick and wounded, 393.

In addition to the deaths reported in the cases under treatment during the period, five occurred among those not on sick report. Of the deaths reported from wounds and injuries among the number on sick report, nine were from gunshot wounds and one from sunstroke. Of the deaths among those not on sick report, three were from drowning, one from sunstroke, and one was burned alive while trying to save private property at Tallahassee, Florida.

The average strength of the command from January 1, 1868, to July 31, 1868, represented by the reports, was 3,291 officers and men, giving a ratio of 2,316 cases treated per thousand of mean strength.

#### DEPARTMENT OF THE SOUTH.

There were on duty in the department, August 1, 1868, 58 medical officers, serving at 44 stations—commissioned 13, acting assistant surgeons 45; since that date 6 have joined the command, the whole number on duty in the period being 64—commissioned 13, acting assistant surgeons 51; of this number 13 have left the command—commissioned 2, (transferred,) acting assistant surgeons 11, (contracts determined;) leaving on duty in the department, October 31, 1868, 51 medical officers, serving at 44 stations—commissioned 11, acting assistant surgeons 40. One medical officer of the regular army has been absent with leave, on account of disability, since August 10, 1868.

There were on duty in the department, August 1, 1868, hospital stewards, United States army, 34. Of this number 4 have been discharged, (one dishonorably) by special orders from headquarters of the army, leaving on duty in the department, October 31, 1868, hospital stewards, United States army, 30.

There were in the department, August 1, 1868, 34 post hospitals, having 601 beds, of which 403 were vacant.

There were in the department, October 31, 1868, 25 post hospitals, having 519 beds, of which 283 were vacant.

There were in the department, August 1, 1868, of white troops, sick

and wounded, 552; from that date to October 31, 1868, there were taken on sick report, 4,256; the whole number treated during the period being 4,808. Of this number there were returned to duty, 4,471; discharged for disability, 28; deaths, 17; leaving unfit for duty, October 31, 1868, sick and wounded, 292.

In addition to the deaths reported in the cases under treatment during the period, one occurred from drowning, among those not on sick report.

The average strength of the white troops in the command from August 1, 1868, to October 31, 1868, represented by the reports, was 4,205, which gives a ratio of 1,143 cases treated per 1,000 of mean strength.

There were in the department, August 1, 1868, of colored troops, sick and wounded, 47; from that date to October 31, 1868, there were taken on sick report, 481; the total number of cases treated during the period being 528. Of this number there were returned to duty, 463; discharged for disability, 6; died, 1; leaving unfit for duty October 31, 1868, sick and wounded, 58.

In addition to the deaths reported in the cases under treatment during the period, two occurred among those not on sick report, one from drowning and one "shot by the officer of the guard for mutinous conduct."

The average strength of the colored troops in the command, from August 1, 1868, to October 31, 1868, represented by the reports, was 781 officers and men, which gives a ratio of 675 cases treated per 1,000 of mean strength,

*Summary of medical report of Major General Meade's command, from January 1, 1868, to October 31, 1868.*

Remaining sick and wounded in third military district, December 31, 1868 .....	241
Remaining sick and wounded in second military district, July 31, 1868 .....	206
Taken sick in Major General Meade's command .....	12,359
Total number unfit for duty .....	12,806
Returned to duty .....	12,325
Discharged for disability .....	71
Transferred to government insane asylum .....	1
Deserted while under treatment .....	8
Died .....	51
Remaining under treatment .....	350

The total number of deaths in the command were 59, of which 8 were sudden and violent, and not accounted for on sick reports.

The proportion of deaths to whole number of sick and wounded treated, was one in 217 cases.

The mortality during the period from all causes, was at the ratio of 15 per 1,000 of mean strength.

The average strength of the whole command was 3,799, giving a ratio of 3,371 cases treated per 1,000 mean strength.

No cases of epidemic disease occurred among the troops.



## SUMMARY CONTINUED.

*Department of the South, October 31, 1868.*

Strength of command.....	4,182
Medical officers on duty.....	51
Hospital stewards.....	30
Number of stations with medical officers.....	44
Number of post hospitals.....	25
Total number of beds.....	519
Number of beds vacant.....	283
Number of patients in hospital.....	236
Number of patients sick in quarters.....	114
Total on sick report.....	350

Respectfully submitted:

JOHN J. MILHAU,

*Bvt. Brig. Gen., Surgeon U. S. A., Medical Director.*

General R. C. DUNN,

*Assistant Adjutant General.*

## REPORT OF GENERAL G. H. THOMAS.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,  
*Louisville, Kentucky, October 2, 1868.*

GENERAL: I have the honor to forward herewith by my aide-de-camp, Brevet Colonel A. L. Hough, a report of operations in this department for the year ending September 30, 1868, and to inform you that General Grant has applied to me, from Galena, Illinois, for the report to be made at an early date. You will oblige by forwarding it to him as soon as practicable.

I am, general, very respectfully, your obedient servant,

GEO. H. THOMAS,

*Major General U. S. A., Commanding.*

ADJUTANT GENERAL U. S. ARMY,

*Washington, D. C.*HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,  
*Louisville, Kentucky, October 1, 1868.*

GENERAL: I have the honor to submit the following report of the operations of my command and of the condition of my department for the year ending September 30, 1868:

Referring to my last report, dated September 30, 1867, my command then consisted of the 2d and 25th infantry, six companies of the 45th infantry, two companies of the 5th cavalry, and one company of the 29th infantry. During the year two additional companies of the 45th infantry have been organized and placed on duty in the department, and the two companies of the 5th cavalry have been transferred from it, leaving the force at present as follows: 2d and 25th infantry, the eight companies of the 45th infantry, and one company of the 29th infantry, with an aggregate on August 31, date of last return, of 1,857. There has been no

material change in the disposition of troops, which are distributed as follows: Two companies of the 2d infantry and the company of the 29th infantry are in West Virginia, and eight companies of the 2d infantry in Kentucky, east of the Cumberland river. The 25th infantry is distributed throughout West Tennessee, and Kentucky, west of the Cumberland river. Six companies of the 45th infantry occupy Middle and East Tennessee, and two companies of the 45th infantry are at Jeffersonville, Indiana, as a guard to the quartermaster's depot at that place. The two companies of cavalry were in Middle and East Tennessee until their transfer from the department.

On the 1st of October, at the request of his excellency Governor Boreman, of West Virginia, the General-in-chief sent one company of the 12th infantry from the department of Washington to Phillippa, Barbour county, West Virginia, for temporary duty, where they remained till the 10th of November, when they were relieved and returned to Washington, their services being no longer needed. The necessity for the services of this company, as stated by Governor Boreman, was to aid the civil authorities in enforcing the laws of the State, and especially to protect the board of registration, then sitting at Phillippa, and to secure quiet and protect the voters on the day of election, as the officers of registration had been set upon by such numbers and in such force that they were unable to perform their duties."

On the 7th of April, by direction of the General-in-chief, five companies of infantry were sent to Major General Meade, commanding the third military district, for temporary duty. They were relieved and returned to their stations May 15. On the 11th of June, by the same authority, five companies of infantry were sent to Brevet Major General McDowell, commanding the fourth military district, for temporary duty. They were relieved and returned to their stations July 6.

During the year two thorough inspections have been made by the inspector general of the department, the reports of which show a decided improvement in the condition of the command in drill, discipline, and appearance of the troops, and in comfort and appearance of the temporary barracks in which they are quartered. The infantry have been furnished with and instructed in the use of the breech-loading arm, and have been instructed in Upton's tactics. I have visited all the posts in the department except those at Cassville and Guyandotte, West Virginia. The latter was for a time discontinued, but re-established during September at the request of Governor Boreman. I found the discipline good, as reported, yet irregularities have occurred which in my opinion would have been avoided if sutlers had been allowed at the several garrisons as before the war. The commissary department not being authorized to furnish certain necessary articles to soldiers, the commanding officers of the various posts do not feel inclined to adopt such stringent measures for keeping the men in garrison as they would be justified in doing were there supply stores at the posts, where the troops could purchase all necessities they require. I have, therefore, upon mature reflection, to respectfully recommend that sutlers be allowed at all military posts, subject, of course, to the rules and regulations of the army as heretofore, and under no circumstances to be allowed to credit any enlisted man in excess of one-fourth of his monthly pay, per month, for any month, the system of credits being the great cause of complaint against sutlers. The duties of the troops have been much the same as heretofore reported, and the same necessity for them exists. The state of society, as regards the non-observance of law and the want of protection for life and property, has not at all improved, and in some sec-

tions is decidedly worse. I had hoped that with the good crops and increased substance obtained, the people would appreciate the blessings of peace and plenty and abstain from that petty lawlessness so often engendered or stimulated by poverty, but, on the contrary, it would appear that with increased means the spirit of lawlessness is more actively exhibited.

With the close of the last, and beginning of the new year, the State of Tennessee was disturbed by the strange operations of a mysterious organization known as the Ku-Klux Klan, which first made its appearance in Giles county. Within a few weeks it had spread over a great part of the State and created no little alarm. Accounts of it from many sources were received at these headquarters; the newspapers recognized its existence by publishing articles on the subject, either denunciatory or with an attempt to break its proceedings as harmless jokes, according to the political opinions of their editors. The assistant commissioner of the Bureau of Refugees, Freedmen, and Abandoned Lands for Tennessee, in his reports, copies of which were furnished me, narrated many of the proceedings of the organization, whose acts were shown to be of a lawless and diabolical nature. Organized companies of men, mounted and armed, horses and riders being disguised, patrolled the country, making demonstrations calculated to frighten quiet citizens, and in many instances abused and outraged them, especially that class of colored people who, by their energy, industry, and good conduct, are most prominent.

I did not think it necessary to take any action on the information furnished until the month of March, when a member of the legislature of Tennessee sent me a written statement of the doings of this organization, saying it carried terror and dismay throughout the country; that the civil authorities were powerless and appeared terror-struck; that his own life was threatened, and asked if something could not be done by the general government to protect the community; if not, there was danger of a bloody collision. At the same time a quartermaster's agent, travelling in Tennessee on duty, forwarded an official communication confirming previous reports on the subject. Such lawless and riotous conduct, requiring a power to suppress that was not exercised by the local authorities, was believed to be of such magnitude that it was probable the services of the troops under my command might be needed under the general instructions to me to assist the civil authorities in preserving the peace. But as on particular occasions of actual or threatened disturbances in Tennessee, wherein the difficulties were caused by the antagonism existing between the State authorities and their opponents, and were likely to affect the political future of the State, I had received special instructions as to my actions, and believing these difficulties to be of that nature, some of the reports of the operations of this secret organization were forwarded to the General-in-chief with the following endorsement:

Respectfully forwarded to the Adjutant General for the information of the General-in-chief. He will see by this, as he doubtless has already learned from other sources, that the enemies of the present State government in Tennessee are organized for resistance to the laws. This resistance to the laws is an outgrowth of the rebellion, and means as well opposition and hostility to everything representing patriotism and devotion to the best interests of the country, although as yet it has not taken the form of open resistance to the United States government.

As Tennessee is a fully constituted State, I consider that the State authorities should deal with and suppress this organization of lawless desperate men, and I have not, to the present time, considered myself authorized to take active measures against them. I shall be glad to receive any orders or instructions you may deem fit to give me in the premises.

I was answered in reply that the papers had been referred to the President, who had returned them with the following opinion :

The Constitution provides that the United States shall protect each State "on application of the legislature or the executive (when the legislature cannot be convened) against domestic violence." As the legislature of Tennessee is now in session, and as no application for federal aid has been received from that body, or any information communicated by the governor of that State, it is not at this time deemed within the province of the Executive to give any instructions upon the subject to which these papers refer.

Partial extracts from these papers, with the President's action on them, were permitted to be published by some authority at Washington, and caused a deal of comment in Tennessee. That portion of the press of the State whose greatest labors are to bring odium upon all who aided to save the government from being destroyed by the late rebellion, hastened to deny the truth of the statements made to me, reflected with severity upon their authors, and to fortify their assertions procured and published the certificates of a few amiable persons of northern birth who were living in Nashville; under the protection of a well-organized police force, that the alarm was a false one. But this only caused to be added further evidence confirming the truth of the original statements. From this time forth, I was in receipt of stories of oppression and outrage committed by these midnight prowlers. It was evident that the old spirit of proscription was far from having died out; it had remained a latent fire ready to burst forth with violence upon the least occasion. Some of these statements were accompanied by appeals for assistance from the military. To all of these I returned for answers copies of the President's opinion as before recited. This state of affairs continued till April, when action was taken by the State authorities which required the disposition of troops. On the 16th of April I received the following communication from his excellency Governor Brownlow, dated April 10:

I most earnestly, but respectfully, ask you to despatch, without delay, fifty (50) armed regulars to Maury county, Tennessee. Matters have been growing worse than ever since the State militia were disbanded. To give you an idea of the state of affairs in that county, I enclose you a despatch just received.

The despatch referred to was from prominent citizens, stating that in order to protect the lives of white and colored Unionists, United States troops should be stationed at Columbia. By the same mail reports of outrages by Ku-Klux bands in Maury county, amounting to murder, were received through General Carlin, assistant commissioner Bureau Refugees, Freedmen and Abandoned Lands. I immediately ordered one company of infantry to Columbia, Maury county, with instructions to render assistance to the civil authorities of the county. Just at this time also the Metropolitan police of Memphis arrested the members of one of the dens at their meeting, seized some papers containing what purported to be the oaths and obligations of the members of the society, which being published caused considerable excitement, as by these papers one of the objects of the society appeared to be the assassination of all who interfered with their plans. This *exposé* had a good effect for a short time, for some weeks afterwards there was a perceptible diminution in the number of outrages reported, and it was hoped the society had spent its force and would gradually die out; but in the month of June disturbances were renewed in Middle and West Tennessee to such an extent that his excellency Governor Brownlow made an application for troops to be stationed in a number of counties in the State; but it was for so large a force, and many of the troops being then on duty assisting the United States revenue officers in the collection of internal revenue, I was unable to comply with his request. At the same time General Carlin, assistant commissioner Bureau Refugees, Freedmen and Abandoned Lands, for Ten-

nessee, made a special report of affairs in Middle Tennessee, reciting a number of recent outrages, and expressing the opinion that if something was not done to suppress the Ku-Klux Klan a war of races must ensue as the negroes were driven almost to desperation from their continual persecution. A copy of this report was sent to the General-in-chief for his information, with the statement that I agreed with General Carlin, but believed that the governor of the State had full power under the laws of Tennessee to establish and support a force to preserve order in the State, and so informed him on his application for troops, which I could not supply. Soon after this the governor called by proclamation a special session of the legislature, and in his message to that body recited the correspondence on the subject of furnishing troops referred to. On the 10th of August I received from Colonel W. F. Prosser, chairman of the house committee of military affairs of the legislature of Tennessee, the following communication:

SIR: I have the honor very respectfully to enclose a resolution of the house of representatives of the general assembly of the State of Tennessee, on the "subject of calling on the United States authorities to furnish, as the emergency may demand, to the State of Tennessee a military force to aid the governor to preserve the peace," &c. I am instructed by the military committee of the house to forward to you a copy of the above-named resolution, and to ask you what aid or assistance may be expected from the general government should such a call be made by the State of Tennessee. An early reply is solicited.

The resolution referred to was as follows:

*Resolved*, That the committee on military affairs take into consideration the subject of calling on the United States authorities to furnish, as the emergency may demand, to the State of Tennessee a military force to aid the governor to preserve the peace and afford protection to the persons and property of our citizens, and that they report the result of their deliberations.

These papers were forwarded to the Adjutant General of the army on the 11th of August, with the following endorsement:

Respectfully referred for instructions concerning this important question, which I wish to receive before replying thereto. I have heretofore, upon request of the civil authorities, both State and national, furnished military aid so far as the force at my disposal would permit, in execution of the laws, by guarding and protecting from resistance and violence those authorities when in the execution of their respective offices. Shall this be continued, or shall such aid be rendered only in accordance with the provisions of the Constitution of the United States, or what policy is it desired to adopt in Tennessee in this matter?

In reply to the foregoing I received the letter of instructions of August 25, covering a copy of a letter of instructions to Brevet Major General Buchanan, commanding department of Louisiana, and a copy of a letter of instructions from the Attorney General United States to Alexander Magruder, esq., United States marshal northern district of Florida, for my guidance, copies of which were furnished to the chairman of the house committee of military affairs of the Tennessee legislature.

On the 17th of September I received the letter of instructions from the Secretary of War of September 11, covering a copy of an application of the committee of the legislature of Tennessee to the President of the United States for the use of United States troops in preserving order in the State, the instructions directing the troops to be furnished. To enable me to report the number of troops required to sustain the State authorities as directed, I applied to his excellency Governor Brownlow for information as to the locality of the difficulties existing, and the degree of the same. He replied in full to my inquiries, upon the receipt of which, on the 23d of September, I replied to the Secretary of War, reporting that in addition to the force then in the department, one regiment of infantry would be required. On the 28th of September I was informed by telegraph from Brevet Major General Canby, commanding department of Washington, that seven companies of the 29th infantry had been ordered

to proceed to Tennessee without delay. Upon their arrival they will be distributed throughout the centre and southern counties of Middle Tennessee, the 45th infantry will occupy the northern counties of Middle Tennessee, and the 25th infantry the counties of West Tennessee. With this arrangement it is hoped the preparations for sustaining the civil authorities will be sufficient for the purpose, and it is believed that the knowledge that the United States is determined to sustain the civil authorities will prevent attempts to override them. An explanation of or excuse for the formation of the Ku-Klux organization, made by its defenders, was that it was the natural result of the existence of the "Loyal Leagues," secret organizations of Union men. It is reasonable to suppose this may be correct; but in justice to the latter, however impolitic or unwise their acts may be, there has been reported to me no one instance of any outrage or unlawful act having been committed by them. Well-authenticated information leads me to believe that the Ku-Klux Klan was primarily but a species of organization without settled plans; but the peculiar condition of Tennessee, the inability, unwillingness and apathy of the local authorities, combined to demonstrate that if organized thoroughly, upon a semi-military basis, the society could maintain itself, extend its power, and perform whatever it sought to do without let or hindrance, its great purpose being to establish a nucleus around which the adherents of the late rebellion, active or passive, might safely rally, thus establishing a grand political society, the future operations of which would be governed by circumstances fast developing in the then peculiar era of exciting public events. It is a matter of history now, acknowledged by its leaders and the public press, that the society did extend itself throughout the south, and its operations in the unreconstructed States were of such a nature as to require the direct interference of the United States authorities to suppress them. I have deemed it to be my duty to watch closely these organized oppositions to the government, not from fear of their success, but to enable the government to counteract them. These disorganizers have so little foundation for their plans, and are so blinded by their prejudices, if given opportunity enough, expose their schemes, as well as forewarn the officers of the government. Much anxiety existed in Tennessee previous to the county elections held in March of the present year. The State and city elections of 1867 were accompanied with so much excitement and threatened disturbance, as to cause the general government to order the concentration of troops at Nashville and Memphis to preserve the peace. It was feared by many of the local authorities that the like necessity would again occur, and I was so informed by them. But the elections passed off quietly. Troops were not called for, except at Gallatin, in Sumner county. This county contains a population at all times troublesome, and only the presence of troops prevents their defiance of all law, by the encouragement of mobs to administer justice according to the personal likes or dislikes they bear towards their neighbors. The troops at this post were asked for by the local civil authorities to assist them; also by the leaders of both political parties. They were paraded at their quarters in readiness for action if there were any riotous proceedings, but did not interfere in any way with the election. There was, however, no collision between the parties. Subsequently, on the 28th of March, at a special election at Gallatin, there appeared to be imminent danger of a collision between the State police force and the special county police, each body being composed of partisans of the respective opposing parties. The post commander was requested by the opposing authorities, as well as by prominent men of both political parties, to interfere and take possession of the town in

order to preserve the peace. He reported the fact to me, and was furnished with a copy of the President's opinion as given in the case of the report of the operations of the Ku-Klux bands, before recited, for his instructions and guidance.

On the 25th of September the mayor of Nashville applied to the post commander for a military force to patrol the streets and to be stationed at the voting places, during the city election to be held on the following day, as he feared there would be riotous proceedings. The post commander forwarded the application, approving it, but recommended that troops be stationed at the capitol, to be used only in case of a riot, and not as patrols, nor to be stationed at the voting places. He was directed to furnish the troops as recommended by him, but not to interfere in any way with the management of the election. Your attention is respectfully called to enclosed copy of report of Brevet Colonel George A. Woodward, 45th infantry, the post commander, marked 1, and a copy of a letter from the superintendent of Metropolitan police of Nashville, marked 2, showing the operations on this occasion.

The troops in the department have rendered valuable assistance to the officers of the United States courts, and to the United States revenue officers; to the former in protecting the marshals or their deputies in making arrests, and to the latter in protecting them in making arrests of violations of the revenue laws, and in seizure of property. Detachments of troops for these purposes were furnished on the application of the authorized civil officers of the United States with instructions to protect the officers while in the performance of their duties, and to guard such prisoners as they might arrest until delivered at the jails, or released on bail, but in no case should they make arrests by military authority. In some instances the combinations of lawless men engaged in illicit distilling were sufficiently powerful to require a strong force. In the Knoxville district, East Tennessee, in the month of March, the resistance to the civil officers was complete, and on their application I was authorized by the General-in-chief to send a force of cavalry to their assistance, which was done, and by their presence the laws were strictly enforced. Another force of cavalry was sent to Sequatchie valley, East Tennessee, for the same purpose and with the same good effect. These operations occupied all the available cavalry force in the department, and when at the same time the assessor of the 4th district of Kentucky applied for a mounted force to protect his officers, I was unable to furnish it, and applied to the General-in-chief for an additional cavalry force to be sent to the department, or that I be authorized to mount a portion of the 2d infantry. This application was not favorably considered, cavalry not being available, and it was not deemed expedient to mount infantry. Very recently the United States marshal for district of Kentucky applied for a mounted force to protect his officers in this same district, and declined to receive infantry, which was tendered him. Subsequently, after applying directly to the War Department for a mounted force, he accepted the services of the infantry, and proceeded, with one company of the 2d infantry as a guard, to serve process upon parties in Nelson and Marion counties. The troops met with no resistance, but the marshal, while absent from the command, at a house near by, was captured by a small band of armed men, who after threatening his life and using violent language, permitted him to return to the command, which then returned to its station, the marshal reporting to commanding officer that he had no further use for it. At the present time indications are that these difficulties are increasing in the State of Kentucky, and that the whole force of troops in that State will be necessary to protect the United States



civil officers while in the performance of their duty. For these duties infantry has proved to be comparatively inefficient, however active they were. As soon as a movement was made the criminals were informed of it by mounted confederates before they could be reached by the troops, and would escape in time, removing or destroying the evidences of their guilt. In consequence of this I have not been able to render as much service to this department of the government as was needed, the two companies of cavalry formerly in the department being wholly inadequate to the amount of work required, and the long marches performed by the infantry were often without any good result. The recent transfer of the cavalry from the department leaving me without any mounted force, I have been authorized to replace them by mounted infantry, which is being done with all possible despatch.

A serious grievance to many citizens of the department, especially of Tennessee, who have faithfully and honorably served as officers of the army, has been their prosecution before the courts by disloyal persons, for acts of trespass committed, or seizures of property made by them as United States officers during the war. Suits were brought in the local courts, where judge and jury sympathized with the prosecutors, and judgments were awarded accordingly. All testimony as to the official character of the defendants, and their acts at the time, was useless, as it was not considered. Sufferers by these suits appealed for protection to the military authorities, under the provisions of War Department General Orders No. 3, series 1866, which directs the protection of loyal persons against improper civil suits and penalties. But as War Department General Orders No. 84, series of 1866, publishing the President's proclamation that the rebellion had ended, and that the civil law was in full force, forbid the further application of General Orders No. 3, the petitioners were advised to transfer their cases to the United States courts, under the provisions of act of Congress approved May 11, 1866, as published in War Department General Orders No. 37, series 1866. This was done in most cases, but some of the sufferers had not the means to meet the expenses necessary for these proceedings, and were compelled to submit to being robbed of their property as a punishment for having faithfully served their country. On the other hand, I received through the War Department one complaint from a citizen of West Virginia, who had served in the rebel army, that he was being prosecuted for damages for acts committed by him as an officer, and by order of the confederate military authorities. This application was referred to the authorities of the State of which he was a citizen, the military having no jurisdiction in the matter. No other complaints of this kind were ever received. A question as to the obligation and binding force of the paroles accepted by the disarmed rebels at the close of the war has occurred in this department during the year. A number of cases of assault by returned rebels upon quiet citizens, wherein the civil authorities failed to afford protection to the injured or punish the offenders, were reported to me, and believing that the paroles bound these men to obey the laws of the community in which they were living, and that they were amenable to trial by military commission if they failed to do so, I applied to the General-in-chief for instructions in the matter, who directed me to arrest the offenders. Accordingly, one W. A. Milliken, a paroled rebel residing in Lagrange, Tennessee, was arrested for violation of his parole in having assaulted a Union citizen. Before trial could be had he was discharged from military custody by Judge Trigg, of the United States district court at Memphis, before whom he appeared on a writ of *habeas corpus*. A full report of this case was forwarded to the Adjutant General's office, Washington, D. C., on the 15th of Novem-



ber, in which exception was taken to the action of Judge Trigg in deciding upon the merits of the case alone as to whether the man was guilty of the act charged, and not as to the jurisdiction of the military authorities in the case, thus leaving the question still pending as to whether there was authority for arresting and bringing to trial by military commission paroled rebel soldiers for violation of their paroles. At the same time I requested that the case, or the question at issue, might be carried to the United States Supreme Court or, if that was impracticable, congressional action was recommended. On the 30th of December I was furnished, in reply, with the opinion of the Attorney General of the United States in the case. This opinion, without deciding the question as to the authority of military commissions to make arrests for violation of paroles, states that the Attorney General is not prepared to say that Milliken was held in custody for any known military offence, but, so far as the parole alone is concerned, he takes it to be clear that it has no legal obligations after the cessation of the war, and closes with declaring it to be not advisable, even if it were practicable, to bring the case before the Supreme Court. After this, no further attempt was made to afford protection to Union citizens by enforcing the obligations of paroles, which appear to have been of little value except to the paroled.

The termination of the business and disposal of the public property connected with the military railroads, with which I was charged in executive orders of August 8 and October 14, 1865, has been conducted with as much success as was possible under the peculiar circumstances connected with it.

The public property was sold to the railroad companies of the southern States on the terms prescribed in the executive instructions, but the obligations of the purchasing parties have not been fulfilled. Extensions of time of payments were applied for. In some instances this was made necessary by the actual inability of the companies to meet the engagements made, but in general it was only intended to defer payments until the fallacious claims set up by them for payment from the United States government for the use of the roads should be allowed as offsets. These applications were either approved or disapproved, in accordance with my judgment on the facts before me. Partial collections, as far as permitted in instructions from Washington, were made and in progress until, by direction of the Secretary of War, dated November 11, 1867, the business was transferred from these headquarters to the Quartermaster General's office at Washington, D. C.

In forwarding the final report of the quartermaster in charge of the business, I made the following endorsement, dated November 23, 1867:

The attention of the honorable Secretary of War *ad interim* is respectfully invited to this report, as giving a complete statement of the indebtedness of the southern railroads to the United States at this time, and of the efforts of some of these companies to evade or defer payments. As, under recent instructions from the War Department, the charge of the collection of these accounts is to be transferred to the Quartermaster General at Washington, relieving me from further responsibility, I can only recommend that the government hold these roads to their contract; that they be compelled to liquidate their indebtedness upon the terms agreed upon, without consideration or recognition in the least degree of any claims for damages or use by occupation of the United States, such claims being believed to be without foundation in justice or right. A persistent and combined effort on the part of these corporations to compel the recognition of these claims has as persistently been ignored and repudiated by me, until the efforts, from want of success, have gradually been relaxed. It is believed that now, under the prospective change of affairs, these claims will again be urged and pressed for recognition; hence this earnest recommendation.

With this my official connection with the business of the military railroad ceased.

Reviewing occurrences connected with the administration of affairs in

the department for the past year, I am enabled to report that, to some extent, the presence of troops has prevented personal collisions and partisan difficulties; but only partially so, for it is mortifying to acknowledge that the State and local laws which should do so, and the more powerful force of public opinion, do not protect the citizens of the department from violence; in fact, crime is committed, because public opinion favors it, or, at least, acquiesces in it. The local laws are enforced or not, according to the controlling opinions of the community; a criminal who is popular with the mob can set law at defiance, but if a man is only charged with, or suspected of crime, if he is inimical to the community, he is likely to be hung to the nearest tree, or shot down at his own door. For information on this subject, your attention is respectfully called to accompanying papers, marked A to X, inclusive. These are copies of reports of grievances made to me; also, to the reports of the assistant commissioners of the Bureau of Refugees, Freedmen and Abandoned Lands for Kentucky and Tennessee, on file in Washington, copies of which were sent to me for my information.

The causes of this lawlessness are different in the different States, and apply more particularly to Kentucky and Tennessee than to West Virginia. From the latter State there have been no complaints received, other than that of the governor, in his application for troops before mentioned, the sending of which accomplished the objects for which they were needed. In Tennessee, where a majority of the late rebels are disfranchised, they, and sympathizers with them, have a hatred for the State authorities, which is unconcealed and aggressive. In localities where the disfranchised element is strong, a spirit of persecution towards those in sympathy with the authorities, those who recognize the political rights of the enfranchised negroes, and the negroes themselves, especially shows itself in utter contempt of all respect for law. Violence is openly talked of. The editorials of the public press are such as to create the most intense hatred in the breasts of ex-rebels and their sympathizers. The effect of this is to cause disturbance throughout the State, by inciting the ruffianly portion of this class of citizens to murder, rob, and maltreat white Unionists and colored people, in localities where there are no United States troops stationed. The local authorities often have not the will, and more often have not the power, to suppress or prevent these outrages.

In Kentucky, disfranchisement cannot be alleged as a reason for the disturbance; here the mass of the people are in sympathy with the State authorities, and those politically opposed make no attempt to resist them. The colored people are quiet and peaceable; they have no political rights, not being enfranchised, yet ruffians are permitted to tyrannize over them, without fear of punishment. The testimony of negroes is refused in the State courts, and the United States courts are difficult of access to an ignorant people, without friends or influence. In some districts, ex-Union soldiers are persecuted by their more numerous rebel neighbors, until they are forced into a resistance which sometimes ends with the loss of their lives, or they are compelled in self-defence to emigrate. An appeal to the courts affords but little hope for redress, as magistrates and juries too often decide in accordance with their prejudices, without regard to justice. The controlling cause of the unsettled condition of affairs in the department is, that the greatest efforts made by the defeated insurgents since the close of the war have been to promulgate the idea that the cause of liberty, justice, humanity, equality, and all the calendar of the virtues of freedom, suffered violence and wrong when the effort for southern independence failed. This is, of

course, intended as a species of political cant, whereby the crime of treason might be covered with a counterfeit varnish of patriotism, so that the precipitators of the rebellion might go down in history hand in hand with the defenders of the government, thus wiping out with their own hands their own stains; a species of self-forgiveness amazing in its effrontery, when it is considered that life and property—justly forfeited by the laws of the country, of war, and of nations, through the magnanimity of the government and people—was not exacted from them.

Under this inspiration, the education of the great body of the people, moral, religious, and political, has been turned into channels wherein all might unite in common. The impoverishment of the South, resulting from war and its concomitants, the emancipation of slaves, and the consequent loss of substance, the ambiguity and uncertainty of political rights and financial values, as well as personal rivalries, have all combined to strengthen the efforts of pernicious teachers. The evil done has been great, and it is not discernable that an immediate improvement may be expected.

I am, general, very respectfully, your obedient servant,

GEO. H. THOMAS,

*Major General U. S. A., Commanding.*

ADJUTANT GENERAL, U. S. ARMY,

*Washington City, D. C.*

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A.

GALLATIN, TENNESSEE, *September 28, 1868.*

GENERAL: In accordance with verbal instructions received from you at Nashville, I have the honor to submit for your private consideration the following report of occurrences in Sumner county during the last few weeks past: Some three weeks ago an agent of the revenue department visited Sumner county to investigate alleged frauds in the distillation of whiskey. Having to visit the region of county known as Harper's dominions, one of my men accompanied him. They so far accomplished the purpose of their visit as to discover the place where the illicit business was carried on, but, being unprepared to bring away with them the utensils used by the violators of law, they both returned. A few days afterwards, the same agent, in company with one of my men, a second time visited the county to clear up the business of his first trip, as well as to make further investigations into the acts and doings of the citizens of that part of the county as respects the manufacture and sale of whiskey. Not having been able to accomplish the object of their visit in one day, they were compelled to remain all night. During the night their horses were stolen, as circumstances indicate, by Ellis Harper, who had dogged them during the whole day, and tried by threats and intimidation to make them leave the county, and who was seen a few hours before the horses were stolen but a short distance from the place where they were stopping for the night. Every circumstance points to him as the chief. I am the more inclined to believe him to be the guilty party from the fact that here of late his conduct has been very different from what it had been some time previous. He has recently been whipping, threatening to kill and drive negroes from the county, and quite recently he ordered a citizen of Carthage, Smith county, Tennessee, to deliver at Hartsville a fine sorrel horse, with the

parting injunction that if his order was not complied with he would kill him for disobedience of orders. When I captured Harper last spring a year ago, he had in his possession the said sorrel horse. The horse was turned over at Nashville, and the owner came forward, proved him to be his property, and took him home. Harper made the demand as above set forth for the horse, and he was accordingly given up to him, inasmuch as the civil law here has no effect upon him. After learning that the horses of the agent and soldier had been stolen, I immediately sent Lieutenant Schenofsky and Sergeant Brown, with separate detachments, to catch the thief and recover the property, if possible. While in pursuit, Lieutenant Schenofsky ascertained that two horses, the alleged property of Ellis Harper, were in the neighborhood. He took possession of them and brought them in with him. One is a large and beautiful black, claimed by John Harper, and the other a United States horse, well and familiarly known here as the three-mile horse. Ellis Harper's brother John came in and claimed one of the horses as his individual property. Several of his neighbors as a committee came with him, but upon investigations and reference to affidavits in my possession I found them to be among the worst characters in the county—negro-whippers and members of the late "I am committee." His father also came to see me, and when I accused his son of acting very badly here of late, the old man did not deny it, but promised the citizens present that he would urge his son to leave the country. In consequence of the duplicity, insincerity, and utter unreliability of the citizens among whom Harper moves, I am disinclined to return either horse until strong and reliable proof of ownership is produced. So far as the citizens are concerned in that neighborhood, (and I would do no violence to truth to say the whole county,) they have more love and respect for Ellis Harper than for any other man in the country, as they regard him the embodiment of southern chivalry. His utterances are regarded by them as gospel, his will as law; and where he goes he rides a chief among them. Somewhat to illustrate the feeling of the people of Sumner county as regards the Harper family, I will notice an occurrence that took place at the agricultural fair held during last week at this place. On Thursday, the 26th instant, by special invitation, accompanied with a complimentary ticket for myself and lady, we visited the fair-grounds to see the fine stock and witness the proceedings of the day. While there, John Harper, Ellis's brother, approached me in reference to the horse in my possession claimed by him. I remarked in answer to what he said about the horse that I transacted business at my office as the proper place, and would not therefore attempt to do anything of the kind out of the office. Seemingly satisfied with my reply, he left me and went off through the immense crowd that on all sides surrounded me. Scarcely had he departed, however, until his sister, having worked her way through the immense throng, confronted me with asking, "Where is that Yankee colonel? You had better give him your bridle and saddle to keep him from stealing them." She then approached close to me and caught me by the arm and said, "Haint you that Yankee colonel Leib, who stole my brother's hoss? Well, I tell you you had better give him up, or by G—d we'll see about it." I remarked that this was no place to talk about horses. She burst into a kind of frenzy, and said, "You're a Yankee s—n of a b—h; I can whip you and all your Yankee soldiers." I remarked that if she did not refrain from the continued use of such unbecoming language, and conduct herself properly, I would have her arrested. I therefore, with my wife, together with the officers with us, turned to leave a presence

so very disagreeable. As we were leaving she said, "If he says another word to me I'll slap his jaws," at the same time moving towards me, and as we passed still further on she followed and grossly insulted my wife by asking, "*Is that his damned Yankee bitch?*" Lieutenants Mays and Schenofsky were in company with us.

I immediately sent to the president of the association and complained of the gross insult offered to myself and lady by Miss Harper. They promised to arrest and remove her from the grounds. It was so publicly announced from the judge's stand, though now it is claimed that only a general law or rule of the association was announced. That matters not; she was not arrested by the civil authorities, either in consequence of their unwillingness to do so, or because the sheriff was too drunk to discharge his duty. Having appealed to them to be protected against the vile tongue of a perfect termagant, and that appeal being allowed to pass unheeded, I myself, with my orderly, arrested her, and made no display of soldiers, as stated in some of the Nashville papers. I sent her to Gallatin to keep myself and lady from being abused, and to prevent annoyance to those who had come to the fair in company with us. I thought certainly that she had made such a display of temper, such an exhibition of unladylike conduct, and poured forth such a stream of epithets and abuse as to shock the feelings of any community, and to cause the blush of shame to mantle the cheeks of all, that just such a woman lived in their midst. But mark the sequel, and you can form as intelligent an opinion of the thoughts and feelings of the conservatives, so called, as you possibly could were I to write volumes on the subject.

On the 27th instant, the day after I was insulted as above set forth, several young ladies, and among them the Miss Harper spoken of above, competed for a prize, a \$35 bonnet, by an exhibition of their skill in equestrianism. After riding around the ring as a matter of form, as was apparent to all present, the judges brought them to a halt; then requested, to still further the force of passing judgment, each to ride around the ring by herself. Having arranged them in line the judges consulted for a moment or two, and determined, in their wisdom, (!) to award the premium to the identical Miss Harper who had, the day before, upon the same fair-ground, and in the same circle, insulted a United States officer and his lady. The simple announcement that she had taken the prize brought forth round after round of applause, till the amphitheatre echoed and re-echoed again and again with the repeated and continued plaudits of the Harper-admiring throng. If the award had been given to merit, another would have carried off the prize; but, in rewarding Miss Harper, the premium was given to the spirit of rebellion, outspoken and intensified in her person; and to see *that* honored, no matter in what garb or guise, found a ready response in the hearts of all those who once offered themselves living sacrifices upon the altar of secession, and in whose bosoms yet burn the embers of treason, ready to be fanned into a consuming flame by circumstances otherwise considered of but little meaning or consequence. Who would have thought that the presentation of a bonnet, a small thing in itself, could have called forth such demonstrations as were witnessed at the Gallatin fair? It was not the gift, nor the manner of giving, nor yet the occasion, but it was the spirit rewarded, which called forth this remarkable ebullition of treasonable feeling, coupled with an innate gratification that it had insulted loyalty on the same ground just the day before. I have given you, in substance, the occurrences here at the fair-grounds; I will now briefly relate how the said individual in question was toasted after the occurrence

at the fair. A prominent lawyer of Gallatin took her into his house, and she there received the marked attentions of her very recent admiring friends. A plain, rude, and immodest country girl, having the impudence, on various occasions, to expose the unmentionable parts of her person to soldiers, and to pat it with her hand, with an invitation to them to kiss, if they liked the looks of it, by the extraordinary conduct of herself on last Thursday is transformed, all of a sudden, into a belle, at whose feet now bows every whimpering pup of rebellion, and around whose charming(!) person cluster close, what are regarded here, the fairest of the fair, among the quondam disciples of the doctrines of the leaders in the lost cause.

I will further state that not one single emblem of loyalty appeared upon the grounds, or the buildings, or the stands of the association. It has heretofore been customary, I believe, to have the stars and stripes floating from the judges' stand, and to have bands of music play national airs; but no flag floated there, and no national music was discoursed by the Gallatin brass band. One thing, however, was very noticeable: whenever a new ring made its appearance, the question passed from lip to lip, "Is there any Yankee in there?"

In conclusion, I have to say that I have given an honest expression of my convictions as regards the claims of the people of Sumner county to loyalty, all their professions to the contrary notwithstanding. Miss Harper, arrested by me as above and before set forth, was released the same evening of the arrest, and turned over to Lawyer Bennett, a rampant rebel, who became responsible for her conduct in future, on the condition that she retract everything she had said, with which she complied by stating that "she was sorry for what she had done, and would swallow everything she had said." Believing that the digestion of such a mass of filth, with a sorrowful heart to support while the process was going on, would partially punish one, even so low as herself, I concluded to set her at liberty.

If, however, another case similar to this should arise, have I not authority, under General Order No. 44, of July 6, 1866, to arrest the offending party, and hold the same until the civil authorities will give the proper relief? Any information you may give me will be most thankfully received.

During the war many United States horses were stolen in this section of the country from the government. In passing through the country I occasionally come up with one of these United States horses, not branded U. S., and the parties holding the same having no papers to prove title. Have I not the authority to take such horses into my possession and hold them as United States property, unless the claimant can prove legitimate and legal title?

Please to send me instructions as regards my course and conduct in such matters.

I have the honor to be, general, very respectfully, your obedient servant,

EDWARD H. LEIB,

*Captain 5th U. S. Cavalry, Bvt. Lieut. Colonel U. S. Army.*

GEO. H. THOMAS,

*Major Gen. Com'dg Department of the Cumberland,*

*Louisville, Kentucky.*

Official copy:

ALFRED L. HOUGH,

*Brevet Colonel U. S. A.*

## B.

MAXVILLE, WASHINGTON COUNTY, KENTUCKY,  
November 27, 1867.

SIR: May I submit to you a report of the condition into which Lynch law has thrown this portion of the country. Now I know that in order to obtain credence I must be able to show some proof of an honest standing in society; that proof, when necessary, shall be forthcoming, so I presume you will not altogether discredit the following statement:

For twelve months past a band of men organized under the will of leading secessionists have been operating to crush the Unionists. Many Union men of good character have been driven off; some have been severely beaten, and not a few have been hanged. The silence of terror is upon the people, and none dare lift a voice against these crimes. Too many examples of whipping and hanging have convinced us that we are not any more to enjoy liberty of speech. Take one instance of the outrages committed by this band of thugs. Nathan Lawson, a prominent Union citizen of Washington county, was taken from his bed, dragged or kicked to a convenient tree, and then hung without mercy or decency. The trial of Mr. Lawson is said to have taken place at the house of a well known secessionist, before a midnight tribunal, which, by a drunken orgie of criminal oaths and impious mockeries, had worked itself up for the business of death. Other instances of Lynch law might be added, no less cruel than the assassination of old man Lawson; but it is useless to multiply words, the sword of justice is sheathed, it would seem, forever. Is the arm of government long enough to reach this country, and is it strong enough to crush this growing sedition? If so, delays are dangerous. For men who have heretofore held out against the insidious practices of the stranglers are now succumbing; men who fought under your command, and followed you to victory, are sunk now in the slavery of fear, and so firmly is the reign of terror established, many are joining the unhallowed inquisition to avoid being victimized for their devotion to laws that afford no protection.

The foregoing is written through no anger, but rather through a feeling of duty. Therefore I hope you will not hold me guilty of intentional wrong, either in the word or matter of this communication.

I am, general, most respectfully, your obedient servant,  
J. E. GILLESPIE.

General THOMAS.

Official copy:

ALFRED L. HOUGH,  
Brevet Colonel U. S. A.

## C.

MEMPHIS, March 14, 1868.

GENERAL: I deem it my duty to call your attention to a matter requiring, in my opinion, attention from the military authorities. Within one and two months since, in the discharge of my official duty, I rendered judgment for fines and imprisonment against M. C. Galloway, W. H. Rhea, and John M. Campbell, for repeated and persistent contempt of the authority of the court, in assailing me for my official conduct, through the columns of their paper, the Daily Avalanche, in the most malignant and libelous articles they could utter.



After a very bitter contest of this kind, on the 5th of February several judgments were finally rendered against them, and they were allowed to take an appeal to the supreme court in one case, (not as a legal right, but as a favor,) on condition that no more libellous articles against me or the court should appear in that paper pending the appeal; and I further proposed that, if the parties and their attorneys would give that assurance in open court, no mittimus for the imprisonment of either of the defendants would issue, so long as they complied with that condition, upon which the appeal in the first case was allowed. This arrangement was at once entered into; defendants and attorneys pledged themselves, the appeal was allowed and entered, and the defendants were discharged from custody. For some three weeks or more there was an apparent compliance with the conditions; but just preceding the county election the temptation was too strong, and on Friday, the 6th, Campbell, the local editor, published another of same style and character, in plain violation of terms upon which his liberty had been given him; on Saturday he repeated it, and on Monday I committed him to jail. On Wednesday following, Mr. Galloway again published a very malignant and libellous article, attacking me and my action in committing Campbell, and on the same day I committed him to jail. A few days afterwards a *habeas corpus* was issued in their favor by Judge Waldron, of the municipal court, who yesterday admitted them to bail on their own recognizance for their appearance before him on Monday next.

I had been frequently advised that this man Campbell was a person of very desperate character, and that I might look for personal violence whenever he was released.

Last night, about 8 o'clock, a mulatto man came to my house, (in a retired part of the city,) and stated that he had learned that I would probably be attacked that night in my house. As I had been frequently cautioned before, I concluded to respect the warning, and started down street to find some friends for the purpose of sending or bringing them to my house. As the hour was late I did not at once find the persons I desired. At 11 o'clock my little son, in company with a neighbor, found me at a friend's, and informed me that Campbell had been at my house after I left, in company with three or four men, in a hack. He came into the house very rudely, and staggered as if drunk; upon being advised by my wife that I was down in the city he or his companions said, "by God we'll find him." I at once wrote a note to Major Davies, in command here, stating the facts, and requesting a guard at my house, with instructions to arrest him and his companions should they return, which they stated they would do in an hour.

In another half hour I received a message from my wife, with a letter from Commissioner Beaumont, of the police, of which the following is a copy:

OFFICE SUPERINTENDENT METROPOLITAN POLICE.

Memphis, March 13, 1868.

SIR: I have just received information from a source that I cannot disregard, that an attempt will be made, perhaps to-night, to take your life. I have treated the rumors that have been circulated lately as idle and groundless; but now I feel it my duty to inform you of your danger, and send men to protect you; two men will go with this, and two more will be sent as soon as the theatre closes, say about 11 o'clock.

Very respectfully, your obedient servant,

S. B. BEAUMONT.

Superintendent Metropolitan Police.

Hon. WILLIAM HUNTER, Judge, &c.

As the hour was late I did not return home last night, but remained with a friend until this morning.



I am informed that, for more than a week, numbers of men more than usual are in from the country. The newspapers are publishing inflammatory notices of the Ku-Klux's, and mysterious threatening of coming troubles. Some of the best portion of the rebel element have been advising us that there is soon to be serious difficulty here. One friend, (rebel,) a well-meaning man, told a loyal friend if he should be in trouble to use his name. I am informed there is considerable excitement in the city to-day, and that my life is threatened frequently on the street corners.

I am satisfied that at this time it would be hazardous to attempt to enforce any legal process. I have therefore determined to adjourn the court until the 1st of May. It is clearly my opinion that the presence of a larger military force is necessary in order to secure the public peace in this community at this time. I therefore respectfully urge this subject upon your immediate attention.

Very respectfully, your obedient servant,

WILLIAM HUNTER,

*Judge of the Criminal Court of Memphis.*

General GEORGE H. THOMAS, *Louisville, Kentucky.*

[Endorsement.]

HEADQUARTERS POST OF MEMPHIS,

*Memphis, Tennessee, March 14, 1868.*

The enclosed communication was handed to me to-day by Judge Hunter; he apprehends personal violence, and also disturbances in the city at any time within two weeks. There are rumors to that effect floating around, and there is also some excitement about it among all classes, (newspaper reports to the contrary notwithstanding.) I have not been called upon by the civil authorities in regard to this matter, and it seems to me to be a personal affair between Judge Hunter and the newspapers. The result of the late election has embittered the political parties more than ever. I understand, in the opinion of many citizens, a riot may be anticipated at any moment, should Judge Hunter be assassinated. To guard against such an occurrence, would I be justified in taking measures to secure the personal safety of Judge Hunter, or of supporting him in the discharge of his official duties? In Judge Hunter's opinion, no confidence may be placed in the Metropolitan police.

I am, very respectfully, your obedient servant,

F. A. DAVIES,

*Captain 25th Inf., Bvt. Maj. U. S. A., Commanding Post.*

General W. D. WHIPPLE,

*Assistant Adjutant General, Department of Cumberland.*

Official copy:

ALFRED L. HOUGH,

*Brevet Colonel U. S. A.*

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D.

SOMERVILLE, March 18, 1868.

DEAR BROTHER: I write you a few lines to inform you of the political condition of things here. At the election on the 7th instant an affray occurred in which three persons (one white and two colored persons) were wounded. Some 15 or 20 pistol shots were fired, but no one killed. The secesh think they have gained the election in this county, and now

say they will have things their own way. No justice whatever is shown to the freedmen. There is more or less shooting done here every night. Last night several houses occupied by peaceable colored families were fired into after dark. I have the bullet in my pocket which last night was fired into the house of a family, two of the boys of which attend my school. No Union man, white or black, is safe here now. My labors are crippled. I can hold no temperance meetings, as the people are afraid to come out nights. I heard a white man say to-day that they meant to drive them all out of this town—meaning the Union people. Ought we not to have a military force here? So it seems to me. The state of affairs here are much worse than they were a year ago. Can the Union people have no protection, or must they be shot down like dogs?

Will you please present this matter before the proper authorities, and see if something cannot be done.

My school numbers 65 and is doing well. The Sunday school is weekly increasing in numbers and interest. Last Sabbath it numbered 124. There is some interest manifested upon the subject of religion, but the night meetings have been interrupted of late by the excitement that prevails. I believe the Union men of the place have requested the governor to set aside the election just held here. It ought to be done.

Nothing has been done as regards free schools—no commissioners appointed. The bureau have declined aiding the freedmen here in repairing their school-house. I hope they will reconsider that matter. They are not able to build a new house now. Please let me hear from you.

Very truly yours,

J. W. NEWTON.

Rev. D. BURT.

[Endorsement.]

BUREAU REFUGEES, FREEDMEN, AND ABANDONED LANDS,  
STATE OF TENNESSEE, ASS'T COM'R'S OFFICE,  
*Nashville, March 20, 1868.*

Respectfully referred to Major General George H. Thomas, commanding department of the Cumberland, Louisville, Kentucky, for his information.

W. P. CARLIN,  
*Assistant Commissioner.*

Official copy :

ALFRED L. HOUGH,  
*Brevet Colonel U. S. A.*

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E.

STATE OF TENNESSEE, HOUSE OF REPRESENTATIVES,  
*Nashville, March 20, 1868.*

DEAR GENERAL: Although I am unacquainted with you personally, feeling an abiding interest in the welfare of loyal citizens everywhere in the Union, and especially those who are oppressed at this time in several counties in West Tennessee, I have taken the liberty to inform you that civil law cannot be enforced in many counties in the eighth congressional district. In the county of Fayette, which I have the

honor to represent in the State legislature, a reign of terror now exists. I speak advisedly when I assure you that there are at this time organized bands of armed men surrounding loyal Union men's houses in the dead hour of night, annoying them by firing off guns. This same banditti recently killed and robbed two colored men near Lafayette depot, on the Memphis and Charleston railroad, and these lawless rebel marauders are threatening to kill and drive Union citizens out of the State. Murders have been frequently committed by rebels in West Tennessee, and the murderer as often set at liberty by rebel juries. If the State government is powerless to protect the people, as Governor Brownlow's late address declares, we, the loyal patriotic citizens of West Tennessee, would most respectfully invoke the aid of our official friends serving our common country, under the authority of the general government.

I could send you 1,000 names endorsing what is herein stated. I have not written half what is true in regard to the situation. If we do not get protection soon the history of West Tennessee will surely be written in blood.

Respectfully yours,

J. O. K. REEVES,  
*Representative Fayette County.*

Major General GEORGE H. THOMAS,  
*Commanding, Louisville, Kentucky.*

Official copy :

ALFRED L. HOUGH,  
*Brevet Colonel U. S. A.*

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F.

LILLARD'S MILLS, *Marshall County, Tennessee.*

DEAR SIR: The bearer, Hays Baker, comes to me this morning in much distress, with the following statement: A night or two ago, D. Thompson, and one other young man, he thinks by the name of Davis, (a son of a Daniel Davis who lives a few miles south of Nashville, and follows marketing to the city,) accused the man Baker of standing a certain colored woman's security, in a State case before a magistrate, who has been abused by Thompson and his father. With their guns in hand they carried him out to the cedars and threatened to shoot him, and then swore him that he would make the woman take up her indictment against Thompson and his father, and if he did not do so that they would kill him and then leave the country. I have known this man for some 10 years or more in this neighborhood; he is a reliable man and truly loyal. Examine him for yourself and you will find that Thompson and his coadjutor Davis are both Ku-Klux, I believe. Give the man Baker the best directions that you can, that his grievances may be taken notice of.

Very respectfully, your friend,

A. F. LILLARD,  
*Member House Representatives.*

Col. J. LAWRENCE, *Attorney, &c.*

[Endorsement.]

NASHVILLE, *March 25.*

Major General CARLIN: Is it possible to put an end to these outrages upon freedmen in Marshall county? It is greatly to be desired that

either the bureau or the governor send a force there with officers, who will execute the laws. Please hear this man's story. Mr. Lillard, who writes me, is a member of the legislature.

JOHN LAWRENCE.

BUREAU REFUGEES, FREEDMEN, AND ABANDONED LANDS,  
STATE OF TENNESSEE, ASS'T COM'R'S OFFICE,  
Nashville, Tennessee, March 25, 1868.

GENERAL: I have the honor to transmit herewith a letter from Mr. Lillard, member of the Tennessee legislature, representing that certain outrages have been perpetrated upon the colored men named therein. Complaints of this character are becoming quite numerous. The colored school teachers at Spring Hill and Smyrna have recently been threatened with death, and the latter actually attacked by ruffians. The civil authorities seem to be unwilling or unable to protect any one who becomes obnoxious to the Ku-Klux bands, and other ruffians.

I am, general, very respectfully, your obedient servant,

W. P. CARLIN,

*Brevet Major General, Assistant Commissioner.*

General W. D. WHIPPLE,

*A. A. G., Headquarters Department of the Cumberland.*

Official copy:

ALFRED L. HOUGH, *Bvt. Col. U. S. A.*

G.

BUREAU REFUGEES, FREEDMEN, AND ABANDONED LANDS,  
AGENT'S OFFICE,  
Columbia, Tennessee, April 1, 1868.

SIR: I have the honor to report an attack yesterday upon the colored school at Mt. Pleasant, kept by Miss E. Allison, and request that action be taken by the authorities to protect this and other schools, as there seems to be a disposition to break them up. Miss Allison has engaged as an assistant in her school an ex-federal soldier by the name of S. A. Graham. He made application at a house in the vicinity for board. As the owners of the house were rebels, the request from a negro school teacher was considered an insult. Thereupon he (Graham) was set upon by a crowd of young men, probably members of the "Ku-Klux Klan," who demanded his life, also that he should leave the county in five minutes; that no d——d Yankee or northern man should stay in that place and teach niggers.

Graham got away from these men, secreted himself in a hotel, when he was taken by Miss Allison and mounted upon her horse and driven toward Columbia. When about a mile from Mt. Pleasant on the pike, he was overtaken by the crowd, who demanded his surrender and drew pistols upon him. Miss Allison protected him as well as she could by placing herself in danger of their shots; they dared not shoot her, and the two came to Columbia. Miss Allison is afraid to go back, and Mr. Graham is secreted until the train goes to Nashville, when he is going to leave for fear of his life.

Very respectfully, your obedient servant,

H. A. EASTMAN,

*Agent Bureau Refugees, Freedmen, and Abandoned Lands.*

J. B. COONS,

*Sub-Assistant Com'r B. R., F., and A. L., Nashville, Tennessee.*

BUREAU REFUGEES, FREEDMEN, AND ABANDONED LANDS,  
 ASSISTANT COMMISSIONER'S OFFICE,  
*Nashville, Tennessee, April 4, 1868.*

GENERAL: I have the honor to transmit herewith a statement of the bureau agent at Columbia, in reference to an outrage on the teachers of a colored school at Mt. Pleasant, Maury county. I have conversed with both of the teachers named therein, and believe the statement of Mr. Eastman to be correct as far as it goes. The school at Mt. Pleasant is not under the control of the bureau or of any benevolent society. The civil authorities in that vicinity cannot be relied on to protect teachers. The matter is respectfully submitted to Major General Thomas for his consideration.

I am, general, very respectfully, your obedient servant,

W. P. CARLIN,

*Brevet Major General, Assistant Commissioner.*

Brevet Major General W. S. WHIPPLE, A. A. G.,

*Headquarters Department of the Cumberland.*

Official copy:

ALFRED L. HOUGH,

*Brevet Colonel U. S. A.*

---

H.

BUREAU OF REFUGEES, FREEDMEN, AND ABANDONED LANDS,  
 MEMPHIS SUB-DIST., SUB-ASST. COMMISSIONER'S OFFICE,  
*Memphis, Tennessee, March 30, 1868.*

COLONEL: In obedience to Special Orders No. 5, current series, dated March 24, I have the honor to submit the following special report in regard to the murder of Reuben Roberson, (colored,) on the Parrish plantation, and the wounding of Doctor Finney, on the Cargill plantation, in Fayette county, Tennessee, and three and five miles respectively from Collierville, Shelby county, Tennessee.

For the last six months there has been a man by the name of Seaborne Swift, and another, B. Milisons, loafing around Collierville, Shelby county and Fayette station, Fayette county, Tennessee. In company with these men, Samuel Hughey, Charles Owens, a man by the name of Harris, and one Lucas have been seen frequently. These men live near Cold Water, Marshall county, Mississippi. They are known by the citizens to be desperadoes, murderers, and thieves, and, as such, are feared by all. On the evening of the 12th of March, B. Milisons, Seaborne Swift, and Samuel Hughey came into Collierville about dark; were seen by J. K. Waddy, merchant, and others; remained at that place until a short time after dark, when they mounted their horses and rode off. About 10 o'clock at night a party of five men went to the house of John Duty, (colored,) on the Blodsam plantation, one mile northeast from Collierville, and demanded admission; said they were lost, and wanted him to show them the road to Collierville. They also said they wanted a drink of water, and a light to read a letter. This last request aroused his suspicions, and he refused to open the door. They then declared they would break it open. Knowing that there was a party of them, he concluded that the safest way was to open the door. He did so, and three persons immediately stepped in, with cocked pistols, presenting them at his head, declaring they would kill him if he made a noise, or refused to give them his pistol, gun, and money. Two of them searched the house, while the other with cocked pistol guarded Mr. Duty, declaring he would kill him if he made any

resistance. They found no money, but took from him one pair of new gaiters worth \$4, a new coat worth \$12, and tobacco worth \$1. They did him no bodily harm. He knows they were white men; could recognize them; they were masked. They then proceeded to the plantation of Parson Rodgers, three-fourths of a mile from Blodsum's, where they robbed George Jones, (colored) of \$1.05. They gained admission to his house, asked him the same questions, and treated him about the same way they did John Duty. George Jones says they were white men, had straight hair, and were masked. He will identify Swift as the man who first entered his house. They then proceeded to Parson Armor's plantation, when they robbed Albert Jarmin (colored) of money, watch, and clothes, amounting to \$100. They got into his house and treated him in the same manner they did John Duty. Jarmin is confident that Swift and Milsons were with the party. They then proceeded to the Cargill plantation, three miles southeast of Collierville, where they stopped at the house of Doctor Finney, (colored,) and asked him to get up and show them the way to Collierville. He told them to go and call "old master" Cargill, and he would direct them. They answered that they had been knocking at Cargill's door until they were tired, and could not get him up. Finney still refused to open his door, whereupon they broke the door open with a rail, and went into the house. By this time Finney had got out of bed and was approaching the door, when one of the gang presented his pistol in close proximity to his head, declaring that if he made any noise or moved he would blow out his brains. Finney feeling unpleasant with a pistol touching his face, and badly frightened, turned and started towards his bed. The ruffian immediately fired, the ball striking Finney in the spine and lodging in the fleshy part of the hip. He fell upon the floor, when the villain fired a second shot but without effect, and he and three others retreated to the road, where one man (or more) had been left to take care of the horses. As they approached, the man in charge of the horses asked, "Did you get him?" The answer was, "Yes, we got him; he is dead enough." Finney says they were white men in half-mask, and recognized the man who shot him, by his voice, as Charles Owens. To this he is willing to be qualified. He is personally acquainted with Owens. Owens is a blacksmith, and lives at Cold Water, near Quinn's Mills, Marshall county, Mississippi, 10 miles south of Collierville. They did not take any money or property from Finney. Mr. Finney's wound is not considered dangerous by his physician, but is very painful. The marauding and murderous clan then proceeded to the plantation of J. H. Hocks, adjoining the Cargill plantation, when they called at the door of Henry Franklin; desired him to get up and show them the way to Collierville. He opened the door, when three of them rushed in with pistols cocked, telling him they would kill him if he made any noise. They then demanded his gun, pistol, and money; not finding any money, they carried off all the valuable clothing they could find, worth about \$40. Mr. Franklin fixes the time at 2 o'clock in the morning of the 13th instant. He says they were white men in half-mask: has seen Swift frequently, and, in his opinion, Swift was the man who threatened to shoot him. He bases his opinion upon the voice and size of the man. From this point they went to the Parrish plantation, now in the occupancy of L. S. Marshall, and there shot Reuben Roberson, so that he died in about three hours afterwards. His opinion before he died was that the party was composed of Swift and his clan. It was nearly 3 o'clock in the morning of the 13th instant when they shot Reuben Roberson. The facts are as follows, to wit: Joseph Duncan, (colored,) Austin Whitney, (colored,) and Reuben Roberson (colored,) were going

coon hunting that morning. Roberson and Duncan had mounted their horses and gone out to the roadside to wait for Whitney; Whitney had gone across a field about 50 yards to the house of another freedman, for his dog. Roberson and Duncan saw five men riding down the road leading from J. H. Hook's plantation. Roberson remarked to Duncan that these might be bad men, and proposed going back to their houses until they would pass. They acted upon this suggestion, each going to his own house. Roberson turned his horse into the lot in front of his house, and went into his house and locked the door. In a few minutes four men came to his door demanding admission, saying they were lost, and wanted him to put them on the road to Collierville. Roberson refused to open the door; for a few moments they remained quiet, and Roberson, thinking they were gone and fearing they would take his horse, opened the door cautiously a few inches. At that instant one of the gang fired a pistol, the ball striking Roberson in the left side, just below the heart. These are the facts as stated by Roberson, before he died, to L. S. Marshall, John King, Thomas Downing, all whites, and Joseph Duncan and Austin Whitney, colored. When Whitney heard the report of the pistol he hastened to Mr. Marshall's house and called him. King and Downing ran over, and soon Mr. Marshall followed with Whitney; they arrived in time to see the men mount their horses and ride down the road in the direction of the Polk plantation, (south.) About daylight they were seen leaving Aaron T. Brooks's cotton-gin, in Marshall county, Mississippi, near the Polk plantation, where, immediately afterwards, a pair of pantaloons were found. Albert Jarmine, who had been robbed in the early part of the evening of the 12th, on hearing that pantaloons were found at the cotton-gin of Mr. Brooks, went down on the 13th instant, and identified them as his pants, of which he had been robbed on the previous evening.

Thus we have a continuous chain of facts and circumstances pointing to B. Milisons, Samuel Hughey, Charles Owens, Seaborne Swift, and the aforementioned Lucan and Harris, as the men who committed the above-named outrageous robberies, and sufficient to convict them of the same in any court of justice. Indeed, it is the opinion of every one in the neighborhood, white and colored, that these are the men. But all are frightened and afraid to take any part in the investigation, or to give the names of neighbors who they think are better informed than themselves in regard to these men, and the crimes committed by them. If they were only arrested, I am confident the evidence against them would be abundant, and much stronger than what is contained in this report. Everybody wants them arrested, but all are afraid to make the necessary information to obtain a warrant.

I am, colonel, very respectfully, your obedient servant,  
W. W. BROWN, *Agent, &c.*

Lieut. Col. FRED. S. PALMER,  
*Sub-Assistant Commissioner, Memphis, Tennessee.*

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BUREAU OF REFUGEES, FREEDMEN, AND ABANDONED LANDS,  
SUB-DIST. OF MEMPHIS, SUB-ASST. COMMISSIONER'S OFFICE,  
*Memphis, Tennessee, April 8, 1868.*

GENERAL: I have the honor to state that on the 22d ultimo I received information that a gang of lawless ruffians had been committing outrages upon the freed people at or near Collierville, Tennessee, and on the 24th

following I sent Mr. W. W. Brown, agent, &c., on duty in this office, to that locality with instructions to thoroughly investigate the reported outrages. Mr. Brown visited the locality, and your attention is earnestly invited to his report upon the subject, which is transmitted herewith. From this report it will be seen that there is a gang of desperadoes in that vicinity, who, trampling the laws of the land under foot, commit the most damnable outrages without molestation or hindrance. There can be but little doubt that the parties whom Mr. Brown names are the guilty ones, and the government should interpose its strong arm and hunt these scoundrels down with cavalry, or a mounted force of some kind. It is the only way the country can be got rid of them. They are not only a terror to the freedmen, but to the white citizens of that section as well, and in such mortal dread are they of the assassin's knife, at the hands of these cut-throats, that it has been almost impossible to obtain the desired information to fix the crime lately committed upon them. It is utterly impossible for me to convey to you a correct idea of the dread and fear that the community is laboring under in regard to the operations of this gang. There is not a single white man in that entire section who dares to file an information against any of the gang for the crimes and outrages committed by them, feeling that if they did so, their lives would pay the penalty for their temerity. The condition of affairs in West Tennessee is growing worse and worse day by day. Lawlessness and crime stalk unpunished and unchecked throughout the land, and robberies and murders are fast becoming a matter of such frequent occurrence as to attract but little attention. Bands of midnight robbers and assassins are continually heard of in different parts of the country, prowling around negro quarters, robbing the poor freedmen when no resistance is offered, and adding murder to their other crimes when it is. I am satisfied, general, that the civil authorities do not, and cannot, afford the protection required; but believe that if the military authorities would arrest such characters, and hold them until the civil authorities would try them, it would go far towards correcting the existing evil.

Very respectfully, your obedient servant,

FRED S. PALMER,

*Lieut. Col. and Sub-Assistant Commissioner.*

Brevet Major General W. P. CARLIN,

*Ass't Com'r State of Tennessee, Nashville, Tennessee.*

[Endorsement.]

BUREAU OF REFUGEES, FREEDMEN, AND ABANDONED LANDS,

ASSISTANT COMMISSIONER'S OFFICE,

*Nashville, Tennessee, April 10, 1868.*

Respectfully forwarded to Major General G. H. Thomas, commanding department of the Cumberland, Louisville, Kentucky, with request that steps be taken immediately to suppress the lawless acts of the band of desperadoes referred to, and to have the offenders brought to trial for their crimes.

W. P. CARLIN,

*Brevet Major General U. S. Army, Ass't Commissioner.*



## I.

HEADQUARTERS, UNION CITY, TENNESSEE,  
April 25, 1868.

GENERAL: I have the honor to report the following outrages committed upon colored men near this post, and in which cases the civil authorities have failed to take action:

1st. Richard Williams, colored, shot in the neck by Richard Thompson, saloon-keeper, at Fulton station, Kentucky, March 9, 1868.

2d. Adam Bartee, colored citizen of Obion county; his house entered at midnight and robbed of two guns, and himself and family severely beaten.

3d. Isaac Caraway, colored citizen of Obion county, Tennessee; lives seven miles southwest of this place; robbed of his gun, worth \$23, and ordered to leave within 10 days.

4th. William Freeman, colored, lives four miles north of this place; his house entered about 12 o'clock at night, robbed of his gun, and his registration papers taken from him.

These are cases that have been reported to me within the last 10 days. I have heard indirectly of at least six other outrages during the same time, but have not the facts at hand in each case.

Of the four cases reported, only one, that of Adam Bartee, was supported by witnesses, and a positive knowledge as to who the parties were that committed the outrage; the parties in each case numbering from 4 to 15; mounted and with masks over their faces. The actors in the scenes are supposed to belong to the Ku-Klux Klan. Pursuant to complaint I caused Bartee to swear out a warrant against Robert Riley and Wart Vowell, of Gardner station, Tennessee. On the 17th instant detailed a sergeant and four men to accompany the civil officer to make the arrest. Captured Robert Riley; Vowell escaped for the time, owing to the distance between their houses. On the 24th instant Riley was examined before Justice Scates, of this place, and held in bonds to answer at the next circuit court of this county.

I held Riley in the post guard-house one-half day, until his friends gave bonds for his appearance before the magistrate, there being no jail here.

I enclose statement of Adam Bartee, which was substantially proven on the trial before the magistrate.

Riley and Vowell are both ex-rebel soldiers, and men of bad repute. Notwithstanding, this affair has created some excitement, it being the first instance where a negro has had even a show of justice in this community.

I have had two soldiers in gray traversing the county for some days, and learn of three organizations, numbering about 20 each, ostensibly debating societies, but supposed to be Ku-Klux. They also report constant threats against the negroes and Yankees, (by which term loyal men are meant.) Of course, loyal whites would soon become objects of vengeance should the prosecution of the negroes be permitted to continue.

I am, sir, very respectfully, your obedient servant,

F. H. TORBETT,

*Captain 25th U. S. Inf., Bvt. Maj. U. S. A., Commanding Post.*

Brevet Major General W. D. WHIPPLE,

*Assistant Adjutant General, Department of the Cumberland.*

*Statement of Adam Bartee.*

I live in Obion, three miles west of Middleburg; work at Squire Dickerson's farm, near Obion church. On the night of the 15th instant four men came to my house and demanded admission; knocked at the door several times, pretending to look for a lost man. I told them there was no strange man in my house, nor had been about my house; but finally they broke the door, rushed in the house and ordered me to start a fire, or procure a light. Not being able to start the fire quick enough, I was struck by Bob Riley. After being struck the same man inquired for my guns. I told him where to find them. He found but one, the other gun having been removed previous, in the darkness, by my wife, and concealed under the bed. After Bob Riley struck me, him and Mart Vowell struck my wife; the former with a gun, the latter with a stick. After being struck several times, and by the loss of blood, I was nearly fainting. The other gun was given to one of the gang by my wife or son. When my wife got struck the second time she exclaimed, "Oh, Adam, do you see how these men are abusing me?" I said yes, and was struck at the same moment with a gun in the forehead. I turned my head to see who struck me, and seen Bob Riley with my shot-gun standing behind me. Then they ordered me to leave the house. I asked them what they wanted me to leave the house for, when Riley told me to ask no questions whatever, but leave the house. I done so, followed by the gang. After being out doors they ordered me to give my pistols to them, but I had none. I told them they had all my arms and everything I had. They struck me five times. My wife came to the door to see what was going on; was struck with a gun and knocked back to the room.

A true report of Bartee's statement.

F. H. TORBETT,  
*Captain 25th Infantry, Brevet Major U. S. A.*

Official:

ALFRED L. HOUGH,  
*Brevet Colonel U. S. A.*

K.

FRANKFORT, KENTUCKY, *June 1, 1868.*

GENERAL: Mr. Cornelius, an honest law-abiding, hard-working house painter of this place, has received a notification from the Ku-Klux Klan which he will submit to your inspection.

He has advised with Captain John Walcott (formerly of the navy) and myself, and it has seemed to us prudent that he should lay the facts before you, as possibly you may have keys and clues that may lead to the detection of the perpetrator of the letter.

It would seem, from the composition of the letter and the execution of the drawings, that its writer is a person of good education and habituated to the use of the pen.

It is by no means the intention of the Union men here to permit the outrages of Tennessee. If necessary Cornelius shall be guarded, to

insure his safety. But before giving the matter any publicity, we send him to you, and request that you will advise in the premises.

Very respectfully, your obedient servant,

JOHN MASON BROWN,

*Late Colonel 45th Kentucky Mounted Infantry.*

Major General GEORGE H. THOMAS, *Louisville.*

Official copy :

ALFRED L. HOUGH,

*Breret Colonel U. S. A.*

L.

RUSSELLVILLE, KENTUCKY,

*Tuesday night, June 16, 1868.*

SIR : I have the honor to submit the following report concerning the shooting of Major Lawrence at this place this morning, and divers other matters incident thereto.

Let me premise by stating that there are only about six Union men in this community. They are subject to that peculiar ostracism that loyal men throughout the south generally are subject, and there seems to be a settled determination on the part of the rebels to drive them out or exterminate them altogether. During the war, Major Lawrence for a time commanded the federal forces that were stationed here. In enforcing an order from General Palmer, then military commander of the State, disallowing returned rebels to parade the streets in uniforms, he incurred the displeasure of one Mr. McCarty, who took umbrage at the order, and vowed vengeance against Lawrence for executing it.

On being mustered out of service, the latter, who had previously married here, took up his abode in this place. The rebels in various ways have endeavored to draw him out in vain. He has been notified and threatened again and again. Being a man of dauntless bravery, few dared to meet him in a personal encounter; he has been the soul of the Union in this community. Yesterday he was deputed by the United States commissioner for this district, Honorable W. M. Grabbs, to go up to Auburn and serve a warrant in a certain case now pending before the commissioner. He started about daylight this morning intending to take the early passenger train going north; while waiting for the cars, in company with the bureau agent, M. C. Billings, he stepped into a grocery near the depot, kept by one Alderson. He had been there but a few seconds, when McCarty suddenly rushed in and presented a pistol against the major and fired, the ball taking effect in the latter's abdomen, and inflicting what his medical attendants pronounced a mortal wound. Mr. Billings was seized from behind at the same time by the man Alderson, and held fast so he could render Lawrence no assistance whatever. The latter staggered back from the effects of the shot, and fell in a corner of the room: drawing his revolver, he attempted to shoot his antagonist. McCarty sprang after him, and received a slight flesh wound in the thigh: he succeeded in wrenching the revolver from Lawrence, and as the latter had regained his feet and sprang out into the street, McCarty shot him again, the bullet entering his right ankle and imbedding itself in the instep bone. McCarty then ran into a neighboring house and barricaded the door. Such in brief are the facts

of the case. Lawrence made his dying declaration before the United States commissioner to-day, and substantiates them throughout.

In my opinion, it was a cool, deliberate murder. The community secretly approve the acts of McCarty, and threaten the other Union men of the place with similar treatment.

Proceedings were at once instituted against Lawrence and Billings in the civil court for assault with intent to kill McCarty; and Billings was held to answer in the sum of \$100. This procedure was a base insult to justice and done simply to secure McCarty. Billings's affidavit was made before the United States commissioner against McCarty, and at the instance of that officer I arrested him (McCarty) this evening, and he is now in the custody of a squad of troops. During the day, shot-guns, rifles, &c., &c., were got out, and serious threats made to exterminate the last Union man in the place. Public sentiment is very bitter against the Union men of this community, and I regard it as absolutely indispensable to the protection of their lives and property, that a detachment of soldiers be stationed here at once. Major Lawrence is the fifth white Union man that has been murdered in this town since the war, and the number of colored men (ex-federal soldiers) who have been butchered is a vast deal more. Lieutenant Corn, of the second infantry, is now here with a detachment of 20 men, and he will remain till he receives further orders from you. I will return to Bowling Green in the morning. Should the troops be withdrawn from here, I would recommend that the bureau agent be withdrawn also, as I believe, without the troops, his life would be positively unsafe.

Very respectfully, your obedient servant,

JAMES McCLEARY,  
*Capt. 45th U. S. Infantry, Brevet Major U. S. A.*

Official copy respectfully furnished for the information of the major general commanding department of the Cumberland.

S. BURBANK,  
*Brevet Brig. Gen. U. S. A., Ass't Com'r, Kentucky.*

Official copy:

ALFRED L. HOUGH,  
*Brevet Colonel U. S. A.*

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M.

SOMERVILLE, FAYETTE COUNTY, TENNESSEE,  
*June 24, 1868.*

SIR: Yours of the 18th instant is at hand, and in reply to your inquiry as to how long, and the necessity for troops to remain at Somerville, I have to state, that from the daily manifestation of that rebellious spirit that ever characterizes the citizens of this county, in making threats to drive out or kill loyal Union citizens, I have frequently been threatened if I attempt to traverse the county for the purpose of collecting the United States revenue. I therefore deem it unsafe for me so to do unless I can have a guard authorized by the general government to protect me.

On the 23d instant, the representative of this county (Fayette) was ordered off the streets of Somerville. The freedmen that assisted the teacher of a colored school at this place to escape the hands of a mob are threatened with death so soon as the troops are called away.

I heard parties say the people ought to drive out the detachment of troops now stationed at this place.

I would like that this detachment remain at this place until I get the annual list for this year collected, which will take at least two or three months. There are some taxes uncollected which have been due for two years.

One of our constables was shot at seven times while riding along the public road the other day.

Very respectfully, your obedient servant,

JOHN G. REEVES.

*United States Deputy Collector, and*

*United States Assistant Assessor.*

Official copy :

ALFRED L. HOUGH,

*Brevet Colonel U. S. A.*

Major General GEORGE H. THOMAS,

*Commanding Department of the Cumberland, Louisville, Kentucky.*

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N.

*Report of a "tour of inspection" through the counties of Marshall, Maury, and Rutherford, Tennessee, made by Brevet Lieutenant Colonel Joseph W. Gelray, U. S. A., inspector, in obedience to the following order :*

[Special Orders No 67.—Extract.]

BUREAU REFUGEES, FREEDMEN AND ABANDONED LANDS,  
STATE OF TENNESSEE, ASST. COMM'R'S OFFICE,  
*Nashville, Tennessee, June 19, 1868.*

I. Brevet Lieutenant Colonel Joseph W. Gelray, United States army, inspector Bureau Refugees, Freedmen and Abandoned Lands, State of Tennessee, will, without delay, visit the counties of Marshall, Maury, and Rutherford, on business connected with this bureau. On the completion of which duties, Colonel Gelray will return to Nashville, Tennessee.

By order of

WILLIAM. P. CARLIN,

*Brevet Major General, Assistant Commissioner.*

W. H. BOWER,

*Lieutenant, and Acting Assistant Adjutant General.*

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NASHVILLE, TENNESSEE, June 25, 1868.

GENERAL: In accordance with the above order, I have the honor to report as follows:

On Saturday the 20th instant I proceeded to Murfreesboro', Rutherford county, Tennessee, and on arriving, at 10 o'clock a. m., I at once proceeded to investigate the particulars of the late "negro insurrection," so called, in Marshall county, and to carry out the verbal and written instructions received from you on the 19th instant.

On the 18th instant about 27 armed negroes were seen to approach Murfreesboro' from towards Chapel Hill, on the Salem pike, who it was reported were going to burn and sack the town. At once the greatest

excitement took place among the white citizens of the place, who immediately banded themselves together with arms in their hands, to resist the supposed invaders from Marshall county; but the mayor, sheriff, and a few other good citizens, foreseeing the consequences of a collision between two such mobs of excited citizens of different and at present antagonistic races, hastened out on the pike to meet the negroes, and if possible induce them to lay down their arms and disperse, but did not succeed in finding them in that direction. They learned, however, that they (the negroes) had taken a short cut across the field to reach the railroad in the vicinity of the United States national cemetery, about three miles from the town of Murfreesboro', and they at once sought and found them there. There were exactly 27, under a negro leader named Doc. Garret. They were resting in the cemetery waiting for a train, which they proposed to take en route to Nashville, and were perfectly orderly at the time. The mayor approached unarmed, and opened a conversation with the leader and his followers; explained in as few words as possible the danger they were in of being attacked by the white citizens, who were already approaching from the town in a body of ten times their number, and were much better armed than they were; told them if they laid down their arms and dispersed, he would protect them from the fury of the whites, and see that their arms were taken care of for them. On these conditions the negroes laid down their arms and took to the woods in squads of two, three, and four. By this time a large body of armed white citizens, both mounted and on foot, had approached from the town, swearing vengeance on all negroes caught with arms in their hands. They too were met by the mayor of the town and the sheriff of the county, who induced a large number of the latter class to return to town. A number, however, refused to return, and took up the pursuit of the fleeing unarmed negroes, and soon after dark came back with four prisoners, whom the mayor induced them to turn over to the sheriff, who placed them in jail with a proper guard over them. Had dark not overtaken the pursuers and concealed the pursued, probably nearly all of them would have been captured. About nine o'clock on the same evening a party of 100 of the Ku-Klux Klan came into the town in masks, and otherwise disguised, evidently with the intention of taking the prisoners out of the jail for summary punishment, but the best citizens of the place pointed out to them the danger of such proceedings, especially as these people belonged to Marshall and not to Rutherford county. The Ku-Klux Klan left the town about midnight, and the excitement, which was very great during the evening—so great that all negroes and radical Unionists were obliged to seek the shelter of their homes or neighboring woods—gradually died away. About 5 o'clock on the morning of the 19th instant, 13 white men, armed with shot-guns, came into Murfreesboro' from Chapel Hill, and demanded the prisoners from the hands of the sheriff, but as they had no warrant for them, he (the sheriff of Rutherford county) refused to deliver them up, but the matter was compromised by sending his deputy with the prisoners to Chapel Hill and delivering them over to the authorities of Marshall county. Threats are being daily made by the Ku-Klux Klan in Murfreesboro' and vicinity to annihilate the negroes and Union citizens, and the county sheriff reports that he is entirely powerless to execute the law, or prevent outrages, by the Klan. The greatest fear and trepidation exists among the Union men and their families, assassination being boldly talked of amongst their political appointments as a remedy for imaginary evils, and the most humiliating outrages and insults are heaped upon them daily. I wore my uniform while in Murfreesboro', and I was twice made to go off the sidewalk,

(once in front of a church while service was going on,) by young men forming themselves across it to prevent my passing. The agent of the bureau, Mr. Nelson, although a quiet, inoffensive young man, is nightly afraid of his life, and was obliged to have another man sleep in his room. He dare not go any distance from the town, night or day, and is the object of all sorts of insults and annoyances, until he has been obliged to tender his resignation. The northern men who settled in and near Murfreesboro' are leaving as fast as they can get away, and only those remain who would suffer great pecuniary loss by leaving at present. The negroes no longer report outrages perpetrated upon them to the bureau agent, as they have been told by the Ku-klux Klan that they will be shot if ever seen going to the agent's office. When it was known that I was in town, and the business I was on, numbers of gentlemen called upon me and freely acknowledged that if something was not done to put down midnight murders and marauders in their midst, that the best people would have to leave the country at any sacrifice; and even ladies pleaded the case of their husbands, saying that they could not sleep at nights for fear of the assassin's blow or the torch of the incendiary. All, however, who were at all free in giving me information, begged of me not to use their names, as it would certainly cost them their lives if known. Many of the freedmen desire again to be in slavery, as they were then secure in life and limb so long as they behaved well, but now they are protected in nothing. They are completely at the mercy of the worst characters of the community, and if they attempt to seek redress their lives are the forfeit of their temerity. It would be less discouraging if there were any grounds of hope for a better state of affairs, but on the contrary, this feeling of antagonism to everything like justice to the negro, or political liberty, is alarmingly on the increase, and, in my opinion, if something is not done to give the friends of our country protection, and to punish the Ku-Klux Klan in the greater part of Tennessee, another war will result, as practically the negroes are still slaves and the confederacy is a triumphant success. This, I am aware, will be considered strong language, but I am confident it is none too strong, and the reason it is not more generally known is simply because parties who know the facts are afraid for their lives to report the truth. A free expression of our political preferences by ballot is the very foundation of American institutions and all her liberty. When this is not guaranteed and protected, liberty is dead. It is well known that in case of an election being held in Rutherford, Marshall, Maury or Giles counties, Tennessee, none but those who would cast their ballot for a candidate whose principles represent those of a majority of the white people (and they disfranchised by law) could vote at all. I called upon nearly all the substantial citizens of the place, including nearly all of the county and town officers, and after introducing myself and reading my instructions, (a copy of which is attached to this report and marked A,) explained to them the urgent necessity of at once inaugurating some measures to stop the depredations of the Ku-Klux Klan; explained to them the awful consequences which would certainly result if something was not done, &c., &c. I was kindly treated by most of the citizens, and the Klan was condemned by some in very mild terms, but nearly all acknowledged that they were utterly powerless to do anything with it, while a few openly advocated and eulogized its usefulness. Before I left Murfreesboro' the mayor called upon me and promised to use his official influence in calling a county meeting with a view to the discouragement of the Ku-Klux Klan, and to get the sense of the people upon the subject of the impartial enforcement of the law by strictly legal means against whites and blacks alike. I do not, however, hope for a

good result from such a meeting, as the fellows who make up the Klan are such as know no law but that of force. I would strongly recommend that a detachment of 25 or 30 mounted troops, under a good and judicious commissioned officer, be at once stationed in Murfreesboro', with instructions to patrol the neighboring counties, of course. If he could be given authority to arrest marauders in disguise wherever found it would be well, but if he had no other instructions than those given to Colonel Trotter at Columbia, he would still be of great service in quieting the frightened citizens and giving them protection. I repeat what I have said in several prior reports, that, in my opinion, troops sent out under any other than a commissioned officer are worse than nothing, and indeed very often ordinary commissioned officers are unable to withstand the kindness of the Klan. I started for Chapel Hill, in Marshall county, on Monday the 22d instant, at 6 o'clock a. m., and owing to having been warned by a number of citizens that it was not a safe road for an officer in uniform to travel, or a pleasant place for him to abide, the journey was not a pleasant one. I reached the village at 11 o'clock a. m., and found the streets filled with villainous looking white men, armed with every conceivable sort of weapon, but I think all having the inevitable revolver beneath their coats. The trial of the four negroes who were captured, together with six more of the party to which they belonged, (who had given themselves up,) was going on before two magistrates or squires. My arrival caused the greatest excitement and curiosity among the assembled people, and they crowded around me to such an extent that the squires were obliged to take me into a shop and lock the door to keep back the people. The statements of the people here were in corroboration of what I learned in Murfreesboro', and what was published in most of the papers. The whole thing was brought about by the whipping of a colored man by the Ku-Klux, for no other reason than that he said if he were attacked by them he would defend himself to the last. Some of his neighbors heard that the Klan were coming to whip him, and assembled for his protection, and when he was taken out of his house by 25 disguised white men, they followed them to the woods and fired upon them. No one was hurt, but the Ku-Klux ran in every direction. The next morning a warrant was issued for the arrest of the colored man who was being whipped, but he could not be found. The white people soon after learned that he had raised quite a company of his own race to defend him, and that they were in the woods arming and organizing. The white citizens of the village then assembled and armed for pursuit, when the negroes, hearing of their greatly superior numbers, retreated towards Murfreesboro' with the intention of taking the cars for Nashville for protection, and where they were disarmed as above stated. Not one, even the most prejudiced, but admits that the negroes had no other intention than to protect themselves; and all admit that they have been doing remarkably well this spring and summer; that they are generally inoffensive and disposed to do right if let alone. But it is generally understood by those who ought to know best, and who live in their midst, that it is the intention of the farmers and planters who have been working their lands on shares to drive the negroes away as soon as the crops are harvested, so as to avoid paying the colored men their share of the income from the crop. Their spirit towards the colored laborer is perfectly devilish, and exhibits itself in the most infernal outrages upon their persons and interests that ever was heard of in any community laying the slightest claims to civilization or Christianity. I executed your instructions here the same as at Murfreesboro', and received a promise from the magistrates and people that the prisoners in their hands should be pro-



ected against violence and receive a fair and impartial trial; also, that they would call a meeting and denounce the Ku-Klux Klan as the instigators of the trouble, and would arrest and punish them if in their power. But how could these poor colored men get a fair trial when 200 white men, full of bad whiskey, were ready to hang a magistrate, or any body else, in case he did not execute their will in the matter, whether it will be right or wrong? The magistrates themselves acknowledged that they were intimidated by the Ku-Klux Klan, and qualified their promises of justice to the prisoners by always adding, "providing the Klan does not interfere with us or the prisoners." I went into the court-room, where the prisoners were being tried, and found them guarded by two men with shot-guns, and to all appearances their trial proceeding with regularity and fairness. I received a promise from the best people of the town that in case the remainder of the absent colored men should return, they would be protected from violence so far as lay in their power, and receive a fair and impartial trial. I then started for Lewisburg, the county seat of Marshall, and arrived about 5 o'clock p. m., and at once had a meeting of the prominent citizens of the place, to whom I explained my mission, and after executing your orders in both letter and spirit, I started en route to Columbia, Maury county, not, however, with the intention of going through that night, as the road was very bad and I had already ridden 52 miles since morning, but with the intention of placing darkness between myself and Chapel Hill and Lewisburg, as I had been assured by Union citizens and colored men that it would not be safe to remain over night in the village, and indeed the appearances of things at Chapel Hill convinced me that such was the case.

I was well received by the people of Lewisburg, who promised to do everything in their power to put a stop to the depredations of the Ku-Klux Klan, and for that purpose would call a county meeting at as early a day as possible. The state of feeling between the blacks, union whites, and ex-rebels, is about the same in Marshall as in Rutherford. The colored and union white people live in daily and nightly terror of their lives, and there is neither freedom of speech nor of action guaranteed them, as the Constitution of their country provides. Although the best citizens are apparently not in favor of the operations of the Klan, yet they dare not say anything against it except in the most general way. In short, if the general government does not make some show of power in these counties, the confederacy, so far as they (the counties and their people) are concerned, might as well have been recognized, as there exists no more respect for United States laws, United States officers, or authority among them, than might reasonably be expected in the interior of Africa.

I remained over night at a farm house eight miles from Lewisburg, and started for Columbia at five o'clock next (Tuesday) morning, the 23d instant, but owing to the horrible condition of the road did not arrive till noon. I at once called upon the bureau agent at the place, but owing to his absence could get no information to enable me to proceed intelligently with the work in hand. Brevet Lieutenant Colonel Frederick E. Trotter, commanding United States forces, was also absent for the day in Nashville, and as I had heard that some modification of his instructions had been made since I left Nashville, I deemed it best to do nothing until I should see him and learn the facts. On Wednesday morning I again called upon Colonel Trotter, who informed me that his orders remained the same as when he first took post there, but that in his opinion the Ku-Klux Klan in Maury was in the last stages of dissolution, and if let alone it would soon be a thing of the past. To support this opinion he handed me an order printed in an extra of the Columbia Herald, which is attached

to this report, and marked B. I however determined to call on the principal citizens as I had done at other places, and started to do so, but there was a masonic celebration at Mount Pleasant, twelve miles from Columbia, on that day, and nearly all the principal men were out there, and thither I proceeded too. I talked with a number of citizens, who agreed in saying that the Klan was defunct in Maury county, and that all the people were thoroughly disgusted with it. I learned, though, that another society was being organized under the name of "Ghouls," which had in view the same general purpose, that is, the carrying of elections by intimidation of the negro voters. Under these circumstances I deemed it best not to read to the people your instructions to me, but to simply express in your name a hope that their predictions would prove true, and pointing out to them the evils of such secret organizations generally, and the difficulties to which they are almost sure to lead, however high may be their aims when first organized, &c. This being done I returned to Nashville on the first convenient train. I have good reason to believe that the influence of Colonel Trotter, and the troops under his command, has given the Ku-Klux Klan its quietus in Maury, and I am of opinion that the same means would accomplish the same ends in the other disturbed counties. I would recommend that a body of troops (cavalry, if possible) be stationed at Murfreesboro', or at some point near Murfreesboro', or at Chapel Hill, with orders to protect the bureau agent at Murfreesboro', and the negroes in making complaints to him, in addition to the general orders to assist the civil officers in enforcing the laws when properly called upon for that purpose.

All of which is respectfully submitted.

JOSEPH W. GELRAY,

*Capt. 45th U. S. Infantry, Brevet Lieut. Col. U. S. Army,*

*Inspector B. R., F. and A. L.*

Brevet Major General W. P. CARLIN,

*Assistant Commissioner B. R., F. and A. L., State of Tennessee.*

## A.

BUREAU R., F. AND A. L., STATE OF TENNESSEE,

ASSISTANT COMMISSIONER'S OFFICE,

*Nashville, Tennessee, June 19, 1868.*

COLONEL: Noticing an affray between white and colored people in Marshall county at Chapel Hill, I have deemed it best that you should proceed to that place immediately, and investigate the present state of feeling between the whites and blacks, and use every effort to restore quiet and peace. It seems that the first act that led to the collision was the whipping of a colored man by the Ku-Klux, a disguised and secret organization. The colored people became excited; some of them fired on the Ku-Klux, others assembled under arms and were marching on the road, when they were attacked by a party of white men said to be acting under authority of a justice of the peace. If this last statement be true, it shows how prompt the civil authorities are to arrest negroes who violate the laws, while it is well known that outrages by the whites have been committed for many months without any attempt on the part of the civil magistrates to interfere and punish these disturbers of the peace.

I wish you to say to the white people of Marshall county, and to their civil magistrates, that for some months they have been sowing the wind, and so long will reap the whirlwind, unless they at once change their course towards the colored people and the Ku-Klux Klan.

These outrages against innocent negroes cannot continue without exciting a deep and universal hatred against the whites. It will finally break out into a war against the oppressors. Though the negroes are poor, they can supply themselves by taking from those who have abundance. Though they are ignorant, they can be organized into bands and companies and large bodies, if need be. If the white people drive them to despair, they will strike, and the blow may inflict irreparable damage. Blood may be shed, houses and crops may be burned, every species of rapine and plunder, murder and arson, that usually accompanies civil war, may be the portion of Marshall and Maury counties.

To avert the danger of such calamities, the white people should suppress the Ku-Klux organization; they should see that magistrates act as promptly in punishing outrages against negroes as in guarding against crime by them.

I expect you to convince the people of Marshall and Maury counties that if they do not pursue the course indicated above, I feel confident they will ere long experience all the horrors of a war between the races. If the whites continue to be the aggressors, as they have heretofore, they cannot expect the assistance or sympathy of their race, or of the government authorities. If, however, they deal justly towards the blacks, the sympathies of the whole country would be with them in the event of a war of races. If you find that a large number of colored people have left their houses in Marshall county, as reported in the papers, you will endeavor to induce them to return, and will endeavor, also, to restore peace between them and their neighbors. You should insist that the Ku-Klux Klan should be punished, for they are the instigators of all the trouble. You will report promptly if any further outbreak should occur.

Very respectfully, your obedient servant,

W. P. CARLIN,

*Bvt. Maj. Gen. U. S. A., Assistant Commissioner.*

Brevet Lieut. Colonel J. W. GELRAY,

*Inspector Bureau R. F. and A. L., State of Tennessee.*

Official:

W. H. BOWER,

*Second Lieutenant 45th U. S. Infantry,  
Acting Assistant Adjutant General.*

B.

HERALD EXTRA—HERALD OFFICE.

*Columbia, Tennessee, June 20, 1868.*

This morning we find inside our window the following important order. Last night there was a large body of men in town in a singular uniform, and it is probable that it was their intention to leave the order, so that it would appear in to-day's Herald. The Herald, however, was made up last night, so we issue an extra for the benefit of our readers. It speaks for itself:

[General Order No. 1.]

HEADQUARTERS PROVINCE NO. 1.

Frightful Era—Crimson Epoch—Alarming Hour.

Fiat justitia, ruat cælum.

To all whom it may concern :

Par. I. Parties in Ku-Klux and various other disguises have, at different times and places, made their appearance and committed unlawful

acts. This shall be stopped. Members of former Ku-Klux Klans are ordered to destroy their disguises, say nothing, and remain at home. If they are true to their oaths and friends, to the cause they swore to support, they will obey this order, as it emanates from the superior in rank of their Great Grand Cyclops; if they do not obey it, they shall be treated as traitors, enemies and perjurers.

Parties assuming masks or disguises for amusements or for unlawful purposes, are ordered from this, the 20th day of May, 1868, never to do so within the limits of this county. If they are good citizens who may desire doing so, they will at once see the propriety of attending to this command; if they are not, and they disobey it, they shall be punished for their misdeeds, or, as an example to others, by hanging.

Members of the province are ordered never to appear in uniform, or any disguise, upon any pretext whatever, unless by order of the Den Commander, and the Den Commander will not order out any member or members without special orders from these headquarters. Any violation of this shall be punished by the highest penalty known in our constitution. The persons who assume disguises to perpetrate outrages, thereby bringing disgrace and discredit upon an organization formed for the benefit of our people, are known. This order is specially intended for them, *et id omne genus*.

There are true and tried members of this organization in each civil district of this county. Hundreds of determined and well-armed men can in two hours be rallied at every point in the county. They are well organized. They are not banded together to whip and abuse negroes, rebels or radicals, to molest and annoy the soldiers of the Union, nor to resist in any way the laws of the land. They are organized to preserve law and order, and their purpose shall not be defeated by outside parties—be they friends or foes.

Par. II. Members and officers of other provinces have no right, and shall not, without written permission from the chief officer of the dominion, or by request of the commander of this province, enter into the same. No infringement of this shall be allowed under any circumstances.

Par. III. A detail is ordered out to-night to show that the above can be carried out, and to assure the citizens of this community that their lives, persons and property shall be protected by those who have their interests and the interests of the country at heart.

By order of the G. G. Province No. 1, Grand Scribe.

A true copy:

W. H. BOWER,  
Second Lieut. 45th U. S. Infantry, A. A. G.

BUREAU REFUGEES, FREEDMEN, AND ABANDONED LANDS,  
STATE OF TENNESSEE, ASS'T COMM'R'S OFFICE,  
Nashville, Tennessee, June 26, 1868.

GENERAL: I have the honor to enclose the report of Brevet Colonel J. W. Gelray, on the recent disturbances in Marshall and Rutherford counties between the white and colored people. This report is strictly reliable, and will show the exact condition of affairs in those counties. While I cannot expect or ask any military interference, I deem it proper to forward this report, and to recommend that a company of troops cavalry, if practicable be stationed at Murfreesboro' or Chapel Hill, to

protect Union men and colored people from outrages during the coming summer and autumn. The condition of affairs described by Lieutenant Colonel Gelray is such, that protection may be required at any time to prevent massacres.

I am, general, very respectfully, your obedient servant,

W. P. CARLIN,  
*Brevet Major General U. S. A.*

Major General GEO. H. THOMAS,

*Comdg Dep't of the Cumberland, Louisville, Ky.*

Official:

ALFRED L. HOUGH,  
*Brevet Colonel and A. A. A. G.*

O.

HALE'S MILLS, July 5, 1868.

DEAR SIR: Our community is laboring under considerable excitement just now, on account of the murder of the commissioner of registration, Jos. Francis. He was taken from his field on the 1st and carried some one and a half mile, his hands tied, and then shot fifteen times. I don't think any real Union man is safe here—we are liable to be killed at any time. This is not only my opinion, but that of every one I meet; and I now declare that a man who says the men of the reconstructed —— wish for peace and are willing to submit to civil law, is either a fool or knave. Unless some change takes place, we shall be compelled to gather in bands for mutual defence.

Very respectfully,

J. D. HALE.

Major General GEO. H. THOMAS.

Official:

ALFRED L. HOUGH,  
*Brevet Colonel United States Army.*

P.

[Special Orders No. 79.]

BUREAU OF REFUGEES, FREEDMEN, AND ABANDONED LANDS,  
STATE OF TENNESSEE, ASS'T COMM'R'S OFFICE,  
*Nashville, Tennessee, August 17, 1868.*

II. Brevet Lieutenant Colonel Joseph W. Gelray, United States army, inspector Bureau Refugees, Freedmen, and Abandoned Lands, State of Tennessee, will proceed, without delay, to Franklin, Tennessee, and thoroughly investigate and report upon the circumstances connected with the alleged murder of a Mr. Biersfield (white) and a colored man employed by him, on the night of the 15th instant, by a large party of armed horsemen; also, the action taken by the civil authorities in the case. On completion of this duty, Colonel Gelray will return to Nashville, Tennessee.

By order of Brevet Major General W. P. Carlin, assistant commissioner:

W. H. BOWER,  
*Lieutenant and Acting Assistant Adjutant General.*

NASHVILLE, TENNESSEE,  
August 28, 1868.

GENERAL: In obedience to the above order I have the honor to report as follows:

On the morning of the 18th instant I proceeded in company with Captain George C. Judd, sub-assistant commissioner Bureau Refugees, Freedmen, and Abandoned Lands, of the Nashville sub-district, to Franklin, Tennessee, and on arriving at once set to work to learn the facts connected with the Bierfield-Bowman murder. I found them to be as follows:

About 12 o'clock on the night of the 15th instant some one rapped at the back door of Mr. Bierfield's store, and, as seems to be customary in the locality, Bierfield inquired "Who's there?" and the reply was given, "Friends," and admittance demanded in an evidently disguised voice, which at once seems to have put Mr. Bierfield on his guard, and he told the party to go around to the front door if he or his friends desired admittance. To this the party outside replied, "Open this door or we will break it down;" when he said, "You had better not; you may get a ball through you in case you do." Upon this, the door was at once burst open, and five men in the disguise of the Ku-Klux Klan rushed in, when Bierfield, who was remarkable for his timidity, ran out of the front door, but there found a number of men ready to receive him, and to them he surrendered, but immediately after broke away from them and concealed himself in a stable nearly opposite his store. By this time the citizens were alarmed by the noise, and came running from every direction to the scene of disturbance, and as a circus had performed in the village that night, and most of the inhabitants were on the streets, the crowd promised to seriously interfere with the operations of the masked party, when one, who seemed to be the leader, cried out, "Clear the street," when at once pistols were discharged in the air, and all were driven into their houses; even those who attempted to look out of the windows were ordered "to take in their heads" on pain of being shot. The masked party did not exceed 15 in number, and the fact of several hundred citizens being driven into their houses by it shows how thoroughly the people are intimidated by this singular and thoroughly dangerous organization. Bierfield was soon found and dragged from his hiding place into the street. There were two negroes in the shop with Bierfield when the maskers broke in, and they were told not to move on pain of being shot down forthwith. The negroes, as might be expected, were very much frightened, and during the confusion of clearing the streets and searching for Bierfield, they made their escape from the store and through a house close by, and the other (Bowman) out of the front door into the street; after which nothing more was known of him until he was found in an expiring condition on the public street from the effect of a pistol ball, (which entered his back, passing through and coming out in front near the region of the heart,) after the murderers had evacuated the town. He expired the next morning without any regular *ante-mortem* statement having been taken by the authorities. He, however, stated to some private gentleman just before expiring, *that he was purposely shot*. Without, however, the slightest particle of evidence, the coroner's jury which sat upon the body decided that, "The said Bowman came to his death accidentally." Bierfield resisted the violence of his captors with all his might, until nearly all his clothes were torn from his person, begging the while in the most piteous accents for his life on account of his poor old mother, &c. He also offered what money he had on his person, and said he would leave the State, never again to return, if they would spare him. The murderers tried to tie him and put him on a horse, but he resisted so violently

and made so much noise, that it seems they gave up that part of the programme, and shot him where he was. *He was pierced with five bullets*, any one of four, at least, of which would have proved fatal. All of the bullets entered from the front, four of them through the head, passing through at as many different angles, showing that he was shot while lying down, the pistol or pistols having been placed close to his face, as the skin was burned and blackened by powder. The only citizen who seems to have interfered in behalf of Bierfield, was a *Mr. Burch, a magistrate of the town*, but he was driven away by threats of the murderers to shoot him if he said another word. As soon as Bierfield was dragged from the stable where he had secreted himself, he was accused of, or conniving at, the murder of a Mr. Ezell, who was killed near Franklin some three or four months since. It has been said that he confessed his guilt in this particular before he died, but there is not the slightest evidence to that effect. On the contrary, all those who had an opportunity of knowing anything of the matter, testify that *he died protesting his innocence to the last*. I could find no evidence to identify him with anything like inciting the negroes to riot, or anything like it. All the evidence is to the effect that Bierfield was a quiet, inoffensive Hebrew trader, devoted entirely to his business, knowing very few people, and not going into society at all. He was in his store night and day, and had his meals brought to him. He never took an active part in politics, nor is there any evidence that he was a citizen of the United States. I think he was a British subject, though a Russian by birth. He had been known to say that he believed a negro to be as good as a white man, and was in favor of equality before the law to all men.

The letter purporting to have been written by *Isaac Brown*, and mailed at Nashville, directed to *John Nolan*, Franklin, Tennessee, connecting Bierfield with the murder of young Ezell, *is undoubtedly a forgery*. It was never mailed at Nashville, it was given to Nolan (colored) by a Franklin man, who gave it to another Franklin man to read for him. This latter man told Nolan that he would take the letter and read it at his leisure; but he never returned it to Nolan, and when I called upon him to learn what became of it, he said, "I lost it." It is my opinion that the letter was written by some *business rival* of Bierfield, with a view of having him driven from the town. Certain it is that there is no evidence to justify even a suspicion that Bierfield was in any way connected with the murder of Ezell. In short, all the evidence (and I gave everybody an opportunity of giving evidence) *is in proof of the Bierfield and Bowman tragedy being a cool, deliberate, and brutal murder*, without palliation or justification from any point of view. "Murder most foul, as in best it is, but this most foul, strange, and unnatural." A dog, without human speech, that would plead by looks and growls, as Bierfield pleaded in language that all his hearers could understand, would have been spared by any man (I hate to use the word men in reference to these murderers) laying the slightest claim to civilization, Christianity, or humanity. "Spare me for my poor old mother," he said, and as he repeated it, another cruel shot crashed through the face made in the image of our God. Had Bierfield applied the same weapons to the 15 cowards who assaulted him that they applied to him, I would stake my honor he could have driven them out of the village quicker than they came into it; but being, as all know, a weakly, timid man, taken at a disadvantage, without a weapon of any kind, he had not the slightest chance of life in the hands of these bloodthirsty men. An inquest was held upon the body of Bierfield on the morning of the 16th, which decided that "the said J. L. Bierfield came to his death from several shots from pistols or guns, any of which would have proved fatal

except one in the hip, and the said act was done by a person or persons to the jury unknown." In accordance with the spirit, as well as the letter of my order, I took particular pains to learn whether the civil and properly constituted authorities of the place were going to exert themselves to discover the murderers, and have them brought to justice. I even took the liberty of suggesting that a reward be offered, or a detective employed; pointing out at the same time how the Nolan-Brown letter might be used, not only in the capture of the Bierfield-Bowman murderers, but also the murderers of Ezell, and if the letter proved to be a forgery, (as I firmly believe it would,) it would at least be well for the community to know who the party or parties were who forged it, as this would relieve the whole community of the odium of the murder, and place it where I hoped it properly belonged, on some irresponsible individuals of the community. I am, however, forced to the disagreeable conclusion that there is *no intention or desire on the part of the civil authorities or the community at large to bring the murderers to justice.* Those who could will not, and those who would are afraid. Perhaps all are more or less afraid; but the most shocking part of this whole matter is that some of those who are considered good citizens, and actual leaders of good society, and moulders of public opinion, are active with both tongue and pen in defending and justifying the Ku-Klux Klan in these most horrible outrages against law and nature. "Whom the Gods wish to destroy they first make mad," is rather a trite quotation now-a-days, but I cannot resist the temptation to use it in reference to the class referred to above, who use their names, wealth, intelligence, and social positions to excite the passions and influence the prejudices of their less fortunate fellow-citizens to the present curse, and perhaps final material ruin, of the community in which they reside. It is sad to know that in business, where every man has, if not a vote, certainly a voice in making the laws by which he is governed, a number of citizens, holding and expressing views differing from the majority of their fellow-citizens, are afraid to open their doors after dark until they first inquire, like a sentinel on post, "Who comes there?" This, too, in an old and comparatively thickly settled State and community.

*Social ostracism* on account of political opinions or theories is the great disturbing element in Tennessee to-day. Men of different political views never meet each other to exchange ideas on public affairs except on the stump and through the medium of the press, where all differences are diametrical, all turns and right angles. If the same parties who bandy epithets through the newspapers or on the stump could meet occasionally at the social board, surrounded by their families and friends, they would be astonished to learn how very little they differed. They would also learn that generally men's motives are correct, individuals only differ.

*Prejudice* is the greatest enemy of reason. A republican government is founded on reason, and until these people of Tennessee learn mutual forbearance, mutual respect, and tolerance of all shades of political opinions, without reference to social relations, and mutual confidence in the motives of the others, we will have mobs, bloodshed, bankruptcy, "bad blood," poverty, and (which God forbid) perhaps civil war, or still worse, one of races.

I have taken the liberty of particularizing and giving my individual opinions in this report, which ordinarily and militarily speaking would be inexcusable, but as I saw a report of mine on the troubles at Waynesboro' published in the Nashville papers, I have thought it possible that you might publish this, and as those who know me well know that I am



entirely unbiased by party politics or hope of reward from any individual, party or organization, and conscious of the purity of the motives, I beg to be excused for indulging the hope that what I have said may be accepted by both parties in the spirit in which it is offered, and as coming from an unprejudiced source.

I am, general, very respectfully, your obedient servant,

JOS. W. GELRAY,

*Captain 45th U. S. Inf., Brevet Lieut. Col. U. S. A.,*

*Inspector Bureau R., F., and A. L.*

Brevet Major General W. P. CARLIN, U. S. A.,

*Assistant Commissioner.*

### Q.

[Special Orders No. 80.—Extract.]

BUREAU REFUGEES, FREEDMEN, AND ABANDONED LANDS,

STATE OF TENNESSEE, ASSISTANT COMM'R'S OFFICE,

*Nashville, Tennessee, August 18, 1868.*

I. Immediately upon the completion of the duty on which he was ordered to Franklin, Tennessee, on the 17th instant, Brevet Lieutenant Colonel Joseph W. Gelray, United States army, inspector Bureau Refugees, Freedmen, and Abandoned Lands, State of Tennessee, will proceed to Waynesboro', Tennessee, and carefully investigate and report upon the cause and effect of the riot reported to have occurred at that place on the 15th instant, between the sheriff of the county and a party of citizens of the town.

Upon the completion of this duty Colonel Gelray will return to Nashville, Tennessee.

By order of Brevet Major General W. P. Carlin, assistant commissioner of Tennessee.

W. H. BOWER,

*Lieutenant, Acting Assistant Adjutant General.*

Brevet Lieutenant Colonel JOSEPH W. GELRAY,

*Inspector Bureau R., F., and A., L., Franklin, Tennessee.*

BUREAU REFUGEES, FREEDMEN, AND ABANDONED LANDS,

*Inspector's Office, Nashville, Tennessee, August 25, 1868.*

GENERAL: In pursuance of the above order I went to Columbia *en route* to Waynesboro' on the evening of Wednesday the 19th instant, by the train leaving that place at 4.30 o'clock p. m. I arrived at Columbia at 6.50 o'clock, and proceeded at once to trace to their source the numerous rumors in circulation about the troubles at Waynesboro', with a view of getting at the truth. As soon as it was known that I was in town, several people came to me, all of whom gave different versions of the affair, their stories generally taking color from their political principles or prejudices. One party, however, a Mr. Cypert, reported to me that he had been driven away from Waynesboro' by the radicals a few days before for having said something in justification of the actions of the "Ku-Klux Klan." This man proposed to ride with me to Waynesboro', but as I was particularly anxious to avoid all political entanglements, or even a suspicion of party bias or local prejudice, I declined his

offer, and having secured Mr. Eastman, agent at Columbia, Tennessee, as escort, set out on the road the following morning. I arrived at Waynesboro' on Friday the 21st instant; found the road picketed by two armed men about a quarter of a mile from the town. These men did not halt me, however, but rode ahead of me into town, where I was met by several men who tendered me a salute from a company of about fifty men, who were well armed, regularly organized, and quartered in the jail and court-house. This I also declined on the ground that it might be construed as a partisan trick to secure a partisan decision as to who was responsible for the existing state of affairs. I also declined to hear any statement of the matter until an equal number of both parties met and made their statements in each other's presence. This I secured, and having heard their statements, which did not materially differ, I find the facts to be as follows:

About seven miles from Waynesboro' a company of Ohio capitalists have started a furnace, and are largely engaged in mining. They employ between sixty and one hundred negroes on the place, who are superintended by white men. The white men, it appears, were jealous of the blacks on account of their working cheaper than they are willing to do, and on this account would like to drive them away. The superintendent told me that in case the negroes were driven away, he would have to pay six dollars per ton for iron, where he now has it taken from the mines for one dollar and a half. To accomplish their designs, the white men resorted to stories of the dreaded Ku-Klux Klan, and actually succeeded in frightening a number of the black men away. The bolder ones, however, procured guns and organized themselves into a company, and were nightly drilling on the public highway. Some of their persecutors, who probably belonged to the Ku-Klux Klan, determined to stop this, and sent word to the foreman of the furnace that if it was not stopped "they would take the matter in hand and disband them by force." This caused great excitement, and the white "radicals," or "Union men," and negroes prepared to meet the "Ku-Klux Klan" when they came. Their preparations and general conversation, I suppose, were construed by the "Ku-Klux Klan" as a threat; and, on the morning of the 15th instant, the Ku-Klux, about 60 strong, all masked and robed, passed through Waynesboro' in the direction of Boyd's furnace. They (the K. K. K.) molested no one and no one molested them while passing through; and when they got to the furnace the leader inquired for the foreman, who came out to meet them, while all the colored men took to the woods in the greatest fright. As soon as the foreman spoke, the leader of the Ku-Klux Klan threw up his mask, told him (the foreman) that their object was a peaceful one; that they did not want to injure any one, but would like to talk with the negroes. The foreman told him (the leader of the K. K. K.) that it was impossible to induce a negro on his place to speak to him, unless he pledged himself upon honor not to use any violence. This the "cyclops" did, and, after a little trouble, he induced the most intelligent of the negroes to come out of their hiding places and appear before the leader of the masked party, who talked with them kindly, and told them that the Ku-Klux were not their enemies, but they would insist upon the negroes ceasing to drill and making the place insecure for travellers, &c., &c. By his advice and the influence of the foreman, the negroes were induced to give up their arms to the foreman, agreeing not to take them out of store unless permission was granted to do so by the superintendent of the works. With this understanding, which appeared satisfactory to all parties, the masked party left the furnace and started for Clifton via Waynesboro'.

When the party came near Waynesboro', the sheriff of the county (Mr. Thurman) met them, demanded their surrender, and received for an answer, "Go to h—l, you s—n of a b—h." Upon this, the sheriff fired upon the party, retreated, and continued firing, followed closely by the Klan. When they arrived at the jail, around which a stockade had been previously erected, the maskers were fired upon by some seven or eight men concealed in the stockade, and four of their number fell from their horses wounded. One mule was shot, and two or three captured. The wounded men all made their escape, and none were killed or have since died, all the reports to the contrary notwithstanding. The K. K. K. turned and fired upon the other party, but, owing to the cover of the stockade, no one was hurt. The return fire of the Ku-Klux has been denied in the papers, and by many whose partisanship is an effectual blind to their sense of justice, candor, and honor. But I inquired particularly into this matter, and all who were present agree in saying that the fire of the sheriff was returned, and the stockade and court-house walls bore the marks of the bullets. After the fire, the Ku-Klux party dispersed in all directions, and under the impression that they would be re-enforced and return to avenge the blood of their "clansmen," the sheriff at once organized a posse of 53 men to resist any attack that might be made. This was the posse in possession of the stockade when I arrived.

Having learned the facts in the case, nothing was then left for me but to apply some remedy to the evil, and to this end I made the following proposition, to wit: That four citizens, two of each party, be chosen to confer with the leaders of the K. K. K., learn their grievances and objects, and see what could be done towards making peace. This proposition, after some opposition on the ground that it would be unsafe for any one to undertake such a mission, was finally accepted, and we started for Clifton, which is generally understood to be the headquarters of the "masked" brethren in Wayne county. We arrived in Clifton about 6 o'clock p. m., and at once held a meeting of the citizens. I stated the object of our mission, and very soon discovered that the citizens were in sympathy with us. All agreed that the support of the posse at Waynesboro' would bankrupt the county. I informed them that the United States authorities would not send them troops unless the proper authorities applied for them; pointed out to them that such disturbances were ruining their national prosperity as well as their character as men and citizens. I told them I would be at the hotel until 10 o'clock the next day, and would be glad to hear anything that would tend to bring about peace and a mutual understanding. About 9 o'clock the following day, a Mr. R. A. Allison, with a large number of citizens, called, and, after some preliminary conversation, Mr. Allison acknowledged himself the chief of the Ku-Klux organization in Wayne county, and stated that he was empowered to enter into a "treaty of peace." I then asked him what he proposed to put a stop to the difficulties, when he dictated the following, which, with very slight alteration, was accepted by both parties:

I, R. A. Allison, of the county of Wayne, and State of Tennessee, do hereby pledge my personal and official influence hereafter to obey and support the laws of Wayne county and State of Tennessee as they are now on the statute-books of the county of Wayne and State aforesaid, and to aid the legally-constituted authorities to the extent of my power and influence in supporting and enforcing the same. I also pledge that the organization of which I am the official head, known as the "Ku-Klux Klan," will lay aside their masks and other disguises, and will raid no more in the country; and that, in case the above-named organization or Klan, or any member of the same, should raid or attempt to raid in said county, I will aid, to the extent of my ability, in arresting the party or parties, and turn them over to the county authorities whence they came. And I do further pledge that I have authority vested

in me to give the above pledge on the following conditions, to wit: That the sheriff of Wayne county proceed to disband the posse under his control in the manner prescribed by law; give up the stock captured by the posse or sheriff, providing it will be illegal for them or him to hold the same, and providing also that I be not held responsible for any act done by any party or parties while under my control prior to the date of this. If, however, the grand jury find true bills against me, or any of the party under my control, I will not forcibly resist the law in my or their behalf.

R. A. ALLISON, *Cycl-ops.*

WAYNE COUNTY, August 22, 1868.

I agree to the above.

E. F. THURMAN,  
*Sheriff of Wayne County.*

I then started back to Waynesboro', and upon my arrival submitted the proposition to the sheriff and citizens, who at once agreed to it, when it was duly signed and witnessed, each of the contracting parties taking a copy of it. The sheriff then proceeded to disband his posse, and in half an hour there was not an armed man in the streets of Waynesboro', and all parties seemed well satisfied, although neither party has the slightest faith in the honor or honesty of the other; the "radicals" claiming that the "rebels" will break the contract at the first convenient opportunity, while the "rebels" appear equally certain that it will be first broken by the "radicals." Both parties swear that in case the agreement is broken by the other, the aggressing party will be annihilated. It is almost impossible for me to express an opinion as to which party is responsible for the row and bloodshed at Waynesboro'.

The Ku-Klux Klan violated the law in the matter of proceeding in mask and interfering with the right of citizens to bear arms, while the "radicals" or Union men were perhaps too hasty in firing upon the party before proper exertions were used to arrest the maskers in a more peaceable way. The Ku-Klux Klan is an exceedingly dangerous organization, and I think the best citizens of the State of all parties begin to see its evils, as in all my travels I did not meet a single citizen of any standing that did not denounce it to me privately, but invariably cautioning me not to "mention their names" in relating what they had said.

The citizens are afraid of the organization, as its absorbs all the horse thieves, cut-throats, bushwhackers, and outlaws of every description, who use its signs, passwords, robes, and masks for their own purposes. I have made it a duty to point out its dangerous character to the citizens, and especially to the members of the "Klan" themselves whenever I could do so without being misunderstood. But the people generally, especially in the country, look upon everybody who wears the army uniform as their natural enemies, and on that account they are hard to approach, and look upon whatever one says as coming from a prejudiced party. They cannot conceive it possible for any one to be free from party politics, or sectional prejudice. "Enemies in war, but friends in peace," is a sentence they don't seem to understand, and the first duty when I approach a citizen is to attempt to convince him of its truth; of course this does not apply to those who are educated, but then *all* are not educated. I think, however, that I made myself perfectly understood by the people of Wayne, and I was hospitably received everywhere. As soon as the sheriff's posse was disbanded I started for Nashville via Columbia, and en route stopped at the furnace, and after talking with the foreman and the most intelligent colored men, I succeeded in getting from them a promise to drill no more at present, and not to take their guns out, except for hunting purposes, and then never to go in squads of more than three. I explained to them the law which forbids the discharging of fire-arms near the highway, pointed out to them wherein

they had made themselves their interest in keeping peace with the white men, as well as among themselves, &c. The negroes promised to abide by my good advice, and I have no reason to doubt but that they will, if left alone by the Ku-Klux Klan and designing white men who are peculiarly interested in driving them away. I arrived in Nashville on the 24th instant.

All of which is respectfully submitted.

I have the honor to be, very respectfully,

JAMES W. GELRAY,

*Captain 45th U. S. Infantry, Brevet Lieut. Col. U. S. A.,  
Insp'r Bureau R., E., and A. L., State of Tennessee.*

Brevet Major General W. P. CARLIN,

*Assistant Commissioner of Tennessee.*

Official copy furnished Major General George H. Thomas, United States army, commanding department of the Cumberland.

W. H. BOWER,

*Second Lieut. 45th U. S. Infantry, A. A. A. G.,  
In the absence of the Assistant Commissioner.*

R.

PERRYVILLE, KENTUCKY, August 29, 1868.

SIR: There is great excitement in this vicinity over the mustering of militia—meeting at night for some purpose. We have seen no call from the governor for them. Some violence has been done to Union men and negroes, ordering them to leave the State. Those joining the militia are nearly all rebels. We don't know what all this means. I am no alarmist.

Your friend,

J. J. POLK.

Gen. GEORGE H. THOMAS.

A true copy:

ALFRED L. HOUGH,

*Brevet Colonel United States Army.*

S.

SOMERVILLE, TENNESSEE, September 4, 1868.

SIR: I write to you for a guard of three United States soldiers now stationed at this place to assist me in collecting the United States revenue. I was assaulted last week by a rebel mob at La Grange. They swore that I should give them their receipts without paying the full amount assessed against them. I had to leave the place without collecting the United States revenue, and I shall not venture back to La Grange unless I get a guard of soldiers. If I can get a guard, I can go to three of the most important places by railroad, La Grange, Moscow, and La Fayette. I can face any one man, but I can't fight a crowd of rebs. I have been collecting United States revenue since the fall of '66,

and I have never seen people so opposed to paying their United States taxes until now. Tax-payers are growing worse every day. I shall not venture out in the county until I hear from you.

Very respectfully,

JOHN G. REEVES,  
*United States Deputy Collector.*

Major General GEORGE H. THOMAS,  
*Commanding Department of the Cumberland, Louisville, Kentucky.*

A true copy:

ALFRED L. HOUGH,  
*Brevet Colonel United States Army.*

T.

MOUNT VERNON, KENTUCKY,  
*September 21, 1868.*

DEAR GENERAL: We need some military aid in this section of country for the following reasons, to wit: There is a band of Ku-Klux in the vicinity of Crab Orchard, Kentucky, that are continually committing depredations in this part of the country. About two months ago they went to James Baker's, in Pulaski county, and murdered him by shooting him; some five shots took effect. On last Saturday night they went to the house of one Stephen Cummins, of Pulaski county, and killed him and his daughter, and wounded his son; his son escaped by running off in the dark. They shot his daughter for lamenting over her dead father; he, Cummins, killed two of them—one on the ground, and one died at Crab Orchard. They remarked before they left that there was one more d—d abolitionist out of the way. It is Union men that they are operating upon entirely. So, general, if there is not military interference, we will soon be in a very bad fix. The main nest is about Crab Orchard. We think it would be a good idea to station some troops at Crab Orchard, as we think it is one of the worst rebel holes in Kentucky. Union men are becoming alarmed, and will have to band themselves together for their protection if there is not something done. General, we are satisfied that we need protection, or we would not call for it.

Very respectfully, your obedient servant,

WM. CARSON,  
*Judge Rockcastle County Court.*

A. J. MOORE,  
*County Attorney.*

R. D. COOK,  
*Clerk Rockcastle County Court.*

B. K. BETHURUM,  
*Sheriff Rockcastle County.*

A true copy:

ALFRED L. HOUGH,  
*Brevet Colonel United States Army.*

## U.

BUREAU REFUGEES, FREEDMEN, AND ABANDONED LANDS,  
STATE OF TENNESSEE, ASSISTANT COMM'R'S OFFICE,  
*Nashville, Tennessee, September 24, 1868.*

COLONEL: In compliance with your request of the 23d instant, I have the honor to transmit herewith an official copy of the report of murders occurring in Tennessee from July 1, 1867, to July 1, 1868, as called for in a circular letter from headquarters department of the Cumberland, and dated Louisville, Kentucky, July 10, 1868.

I have the honor to be, colonel, very respectfully, your obedient servant,

W. H. BOWER,

*Second Lieutenant 45th U. S. Inf. and A. A. A. General,  
In the absence of the Assistant Commissioner.*

Brevet Colonel A. L. HOUGH, U. S. A.,  
A. A. A. G., *Department of the Cumberland.*

A true copy:

ALFRED L. HOUGH,  
*Brevet Colonel, United States Army.*

[For the report above referred to see pages 717—724.]

## V.

BUREAU REFUGEES, FREEDMEN, AND ABANDONED LANDS,  
STATE OF TENNESSEE, ASSISTANT COMM'R'S OFFICE,  
*Nashville, Tennessee, September 10, 1868.*

GENERAL: I have the honor to transmit herewith a supplementary statement to the report of murders in Tennessee from the 1st day of July, 1867, to the 1st day of July, 1868, and the action of the civil authorities thereon, which was forwarded to the headquarters department of the Cumberland on the 25th day of August, 1868.

The reason for the delay in this case has been that the Bureau of Refugees, Freedmen, and Abandoned Lands has never kept a complete record of the murders that have happened in the different sub-districts, and has had to gather the information from the courts; and, in so doing, every obstacle has been thrown in the way that could be properly.

I have the honor to be, general, very respectfully, your obedient servant,

W. H. BOWER,

*Second Lieutenant 45th Inf. and A. A. A. General,  
In the absence of the Assistant Commissioner.*

Brevet Major General W. D. WHIPPLE,  
A. A. G., *Headquarters Department of the Cumberland,  
Louisville, Kentucky.*

A true copy:

ALFRED L. HOUGH,  
*Brevet Colonel, United States Army.*

Supplementary statement showing the number of persons killed by violence, by whom killed, when, and what action taken by the civil authorities in the several counties comprising the Memphis sub-district, Bureau of Refugees, Freedmen, and Abandoned Lands, from 1st day of July, 1867, to 1st day of July, 1868.

No.	County.	Names of persons killed.	Complexion.	Names of persons charged with the offence.	Complexion.	When killed.	Action taken by civil authorities.
1	Dyer.....	Unknown.....	Colored.....	Unknown.....	.....	June —, 1868	Convicted and sentenced to State prison for ten years. No action taken.
2	Tipton.....	Bill Daniels.....	do.....	Henry Frazier.....	Colored.....	Dec. 1, 1867	
3	do.....	John Hicks.....	White.....	{ James Leak.....	White.....	Feb. 28, 1868	
4	do.....	James Bugs.....	do.....	{ Joseph Maxwell.....	do.....	Feb. 28, 1868	Arrested and under bonds awaiting trial.
5	do.....	W. D. Irwin.....	do.....	J. W. Jackson.....	do.....	June 20, 1868	In county jail awaiting trial.
6	Decatur.....	W. R. Hampton.....	do.....	— Burnett.....	do.....	June 27, 1868	Acquitted on examination.
7	Madison.....	Unknown.....	Colored.....	George Morgan.....	do.....	Feb. 22, 1868	Arrested and under bonds awaiting trial.
8	do.....	do.....	do.....	— Blackman.....	do.....	Aug. 1, 1867	Warrant issued and returned "not found."
9	McNairy.....	W. Chafin.....	White.....	{ John Bradford.....	do.....	Aug. 11, 1868	Fled the country.
10	do.....	Mrs. Bell.....	do.....	{ James Bradford.....	do.....	Aug. 11, 1868	Fled the country.
11	do.....	George M. Ronsey.....	do.....	Unknown.....	Colored.....	June —, 1867	In county jail awaiting trial.
12	do.....	Samuel Lewis.....	do.....	Unknown.....	White.....	May 11, 1868	
13	Hardin.....	William Denam.....	do.....	Negro militia.....	Colored.....	Feb. —, 1868	
14	McNairy.....	Murroe Wardloe.....	do.....	James Farewell.....	White.....	July 29, 1867	Indictment found and <i>nolle pross.</i>
15	Hardin.....	T. M. Pool.....	do.....	Unknown.....	White.....	Oct. 25, 1867	Fled the country.
16	do.....	W. B. Hays.....	do.....	W. C. Boyd.....	do.....	Nov. —, 1867	Acquitted on examination.
17	do.....	King Hardin.....	Colored.....	James Thomas.....	do.....	Aug. 26, 1867	
				Abe Hardin.....	Colored.....	June 1, 1868	No action taken.
						June 8, 1868	



## RECAPITULATION.

Persons killed.	Action taken by civil authorities.						Total.
	No action taken.	Acquitted on examination.	Committed to jail.	Convicted.	Bound over for trial.	Fled the country.	
Whites by whites.....	1	3	2	.....	2	1	8
Whites by blacks.....	2	1	.....	.....	.....	.....	2
Whites by complexion unknown.....	.....	.....	.....	.....	.....	.....	2
Blacks by whites.....	1	.....	.....	1	.....	2	2
Blacks by blacks.....	1	.....	.....	.....	.....	.....	2
Blacks by complexion unknown.....	.....	.....	.....	.....	.....	.....	1
Total.....	5	4	2	1	2	3	17

Complexion of persons killed.	Complexion of persons by whom killed.			Total.
	White.	Colored.	Not given.	
White.....	8	2	2	12
Colored.....	2	2	1	5
Total.....	10	4	3	17

I certify that the above statement is correct, as taken from the reports at this office.

FRED. S. PALMER,  
Sub-Assistant Commissioner.

OFFICE ASSISTANT COMMISSIONER,  
BUREAU OF REFUGEES, FREEDMEN, AND ABANDONED LANDS,  
Nashville, Tenn., September 10, 1868.

Official:

W. H. BOWER,  
Lieut. 45th Infantry, A. A. A. G.  
(In the absence of the assistant commissioner.)

A true copy.

ALFRED L. HOUGH,  
Brevet Colonel, U. S. A.

W.

BUREAU REFUGEES, FREEDMEN, AND ABANDONED LANDS,  
ASS'T COMMISSIONER'S OFFICE, STATE OF KENTUCKY,  
Louisville, Kentucky, August 26, 1868.

GENERAL: I have the honor to enclose herewith a report of persons murdered in the State of Kentucky from July 1st, 1867, to July 1st, 1868, as requested in Colonel Hough's letter of July 10, 1868.

The report is necessarily incomplete, as many murders have doubtless been committed which did not come to the notice of the bureau agents.

Very respectfully, your obedient servant,

S. BURBANK,

Brevet Brig. Gen. U. S. A., Ass't Commissioner, Kentucky.

Brevet Major General W. D. WHIPPLE,  
Assistant Adjutant General, &c., Louisville, Kentucky.

*Report of persons murdered in the State of Kentucky from July 1, 1867, to July 1, 1868.*

Name.	Complexion.	Murderer.	Complexion.	When.	Where.	Remarks.
Wm. Yekan or Thompson.	Colored.	15 masked persons.		May 30, 1868	Hickman county.	No arrest.
Nathaniel Sweeney.	White.	James Henry.	White.	June 5, 1868	Madrid Bend.	Do.
— Somers.	Colored.	Washington Stone.	do.	Oct. —, 1867	Smithland.	Do.
Java.	do.	Unknown.		Sept. —, 1867	Lyon county.	Do.
William Cook.	do.	do.		Aug. —, 1867	Eddyville.	Do.
W. D. Fuller.	White.	James Parker.	White.	Aug. —, 1867	Hopkinsville.	No indictment found.
A young woman.	do.	— Keese.	do.	Sept. —, 1867	Bambridge.	On bail.
Albert L. Jones.	do.	Dr. Metcalfe.	do.	Aug. —, 1867	Garrardsburg.	No indictment found.
Houston Evans.	do.	Unknown.		July —, 1867	Bainbridge.	No arrest.
Sampson Jones.	Colored.	J. P. Heath & Jas. Robins.	do.	Sept. 22, 1867	Hopkinsville.	No arrest. Case transferred by bureau to U. S. court.
John Signs.	White.	William Valentine.	do.	Feb. —, 1868	Union county.	Sentence of court: "Justifiable homicide."
Hugh Bowen.	do.	William Browalee.	do.	July 6, 1867	Henderson county.	Convicted of manslaughter.
David Whitesides.	Colored.	Robert Dinn.	do.	July 6, 1867	do.	No indictment found.
Hiram Fraziers.	White.	George King.	do.	May 11, 1868	Hancock.	Do.
1 man unknown.	Colored.	John Whitezett.	do.	Nov. 22, 1867	Benton.	Awaiting trial.
John Jackson.	White.	Walter Seaford.	do.	Mar. 2, 1868	do.	No arrest.
George H. Wright.	do.	Fluis H. Little.	do.	July 13, 1867	Calhoun.	Pardoned by the governor before conviction.
John A. Smith.	do.	Wallace Maxwell.	do.	July 1, 1867	Hartford.	No arrest.
Lewis Price.	do.	James Mitchell.	do.	July 5, 1867	Jessamine county.	Indicted by grand jury.
Joseph Logan.	do.	Garret Cook.	do.	July 13, 1867	Fayette county.	Sentenced to penitentiary for two years. Pardoned by governor.
Major J. H. Bridgewater.	do.	Tom Sanders, et al.	do.	July 18, 1867	Lincoln county.	Acquitted before the examining court.
Courtney Green.	Colored.	J. Brent Aikin.	do.	Sept. 1, 1867	Boyle county.	Acquitted by civil court: case carried to U. S. court.
Hardin Fain.	White.	John Hunter.	do.	Sept. —, 1867	Jessamine county.	Indicted by grand jury; no action since.
John Clemens.	do.	Unknown.		Oct. —, 1867	do.	Some negroes arrested on suspicion; acquitted by examining court.
Antony Chrisham.	do.	Thomas M. Campbell.	White.	Jan. 28, 1868	Nicholas county.	Acquitted on examining trial.
Jim Taylor alias Maclin.	Colored.	Irish mob.		Jan. 29, 1868	Franklin county.	No action by civil court. Some arrests made; indicted by United States grand jury; bailed by Judge Ballard.
Stephen Coleman.	do.	James Bolan.	do.	Mar. 30, 1868	Kenton county.	Acquitted on exam'g trial before the mayor of Covington.
2 men unknown.	White.	Unknown.		April 30, 1868	Pulaski county.	No arrest.
James Cheaney.	do.	Andrew Decker.	do.	May —, 1868	do.	In jail, awaiting trial by civil court.
Thomas M. Campbell.	do.	I. Mortaus.	do.	June 7, 1868	Woodford county.	Acquitted before examining court.
A. G. Gaitskill.	do.	H. O. Thomas.	do.	— 15, 1868	Bourbon county.	Acquitted by civil court.
Henry Fisher.	Colored.	John L. Bryan.	Colored.	June 24, 1868	do.	No conviction.
— Ward.	White.	— Menix.	White.	June —, 1868	Magoffin county.	Escaped.
James Ward.	do.	John Crawford.	do.	June —, 1868	Carter county.	Do.
— Burchett.	do.	— Burchett.	do.	June —, 1868	Clay county.	No conviction.
— Brown.	do.	— Sargent.	do.	June —, 1868	Johnston county.	Do.
James Baker.	do.	Unknown.		June 13, 1868	Pulaski county.	No arrest.
Mr. — Clarke.	do.	Mrs. — Clarke.	do.	June —, 1868	Boyd county.	Acquitted.
Simon Whitesides.	Colored.	Unknown.		Nov. 2, 1867	La Grange.	No conviction.
Warren Jackson.	do.	do.		May —, 1868	Louisville.	No arrest.
1 man unknown.	do.	do.		June 1, 1868	Shephardsville.	Do.
David Coulter.	do.	G. W. Northcraft.	White.	Mar. 14, 1868	Lebanon.	Do.

*Report of persons murdered in the State of Kentucky, &c—Continued.*

Name.	Complexion.	Murderer.	Complexion.	When.	Where.	Remarks.
Lewis Stoner.....	do.....	John Owens <i>et al</i> .....	do.....	July 27, 1867	Nelson county.....	Dan. Connelly and Tom Hardy turned over to U. S. court.
Dudley Combs.....	do.....	A. Achison.....	do.....	May 24, 1868	Warren county.....	Arrested by civil authorities; case deferred.
1 man unknown.....	do.....	do.....	do.....	Unknown...	Carroll county.....	No arrests.
1 man unknown.....	do.....	do.....	do.....	Unknown...	Kentucky river.....	Do.
Henry Grier.....	do.....	Elijah Mason.....	do.....	Oct. 15, 1767	Trigg county.....	Do.
George Davis.....	White.....	Unknown.....	do.....	May 23, 1868	Harrodsburg.....	Do.

LOUISVILLE, KENTUCKY, *August 26, 1868.*

I certify that the above report is correct.

S. BURBANK, *Bvt. Brig. Gen. U. S. Army, Ass't Com'r Kentucky.*

A true copy :

ALFRED L. HOUGH, *Brevet Colonel U. S. Army.*

## X.

[Special correspondence of the Cincinnati Commercial.]

MEMPHIS, TENNESSEE, *August 28, 1868.*

To-day I have enjoyed "big talks" enough to have gratified any of the famous Indian chiefs who have been treating with General Sherman for the past two years. First I met General N. B. Forrest, then General Gideon J. Pillow, and Governor Isham G. Harris.

## FORREST DESCRIBED.

My first visit was to General Forrest, whom I found at his office at 8 o'clock this morning hard at work, although complaining of an illness contracted at the New York convention. The New Yorkers must be a hard set indeed for I have not met a single delegate from the southern States who has not been ill ever since he went there. But to General Forrest: now that the southern people have elevated him to the position of their great leader and oracle, it may not be amiss to preface my conversation with him with a brief sketch of the gentleman. I cannot better personally describe him than by borrowing the language of one of his biographers: "In person he is six feet one inch and a half in height, with broad shoulders, a full chest and symmetrical, muscular limbs, erect in carriage, and weighs 185 pounds; dark gray eyes, dark hair, mustache, and beard worn upon the chin; a set of regular set teeth and clearly cut features;" which, altogether, makes him rather a handsome man for one forty-seven years of age.

## SOMETHING ABOUT HIM.

Previous to the war, in 1852, he left the business of planter and came to this city, and engaged in the business of "negro trader," in which traffic he seems to have been quite successful, for, by 1861 he had become the owner of two plantations a few miles below here, in Mississippi, on which he produced about 1,000 bales of cotton each year, in the meantime carrying on the negro trading. In June, 1861, he was authorized by Governor Harris to recruit a regiment of cavalry for the war, which he did, and which was the nucleus around which he gathered the army, which he commanded as a lieutenant-general at the end of the war.

## HAS NO OBJECTION TO BEING PUMPED.

After being seated in his office, I said: "General Forrest, I came especially to learn your views in regard to the condition of your civil and political affairs in the State of Tennessee, and the south generally. I desire them for publication in the Cincinnati Commercial. I do not wish to misrepresent you in the slightest degree, and therefore only ask for such views as you are willing I should publish." "I have not now," he replied, "and never have had, any opinion on any public or political subject which I would object to having published. I mean what I say, honestly and earnestly, and only object to being misrepresented. I dislike to be placed before the country in a false position, especially as I have not sought the reputation which I have gained." I replied, "Sir, I will publish only what you say, and then you cannot possibly be misrepresented. Our people desire to know your feeling toward the general government, the State government of Tennessee, the radical party, both in and out of the State, and upon the question of negro suffrage."

## HIS STATUS DEFINED.

"Well, sir," said he, "when I surrendered my 7,000 men in 1865, I accepted a parole honestly, and have observed it faithfully, up to to-day. I have counselled peace in all the speeches I have made; I have advised my people to submit to the laws of the State, oppressive as they are, and unconstitutional as I believe them to be. I was paroled, and not pardoned until the issuance of the last proclamation of general amnesty, and therefore did not think it prudent for me to take any active part until the oppression of my people became so great that they could not endure it, and then I would be with them. My friends thought differently and sent me to New York, and I am glad that I went there."

## THE SITUATION GETTING WORSE.

"Then I suppose, general, that you think the oppression has become so great that your people should no longer bear it?"

"No," he answered, "it is growing worse hourly; yet I have said to the people, stand fast; let us try to right the wrong by legislation. A few weeks ago I was called to Nashville to counsel with other gentlemen who had been prominently identified with the cause of the confederacy, and we then offered pledges which we thought would be satisfactory to Mr. Brownlow and his legislature, and we told them that if they would not call out the militia we would agree to preserve order and see that the laws were enforced. The legislative committee certainly led me to believe that our proposition would be accepted, and no militia organized. Believing this, I came home, and advised all of my people to remain peaceful, and offer no resistance to any reasonable law. It is true that I never have recognized the present government in Tennessee as having any legal existence, yet I was willing to submit to it for a time, with the hope that the wrongs might be righted peacefully."

## FEELING TOWARDS UNCLE SAM.

"What are your feelings towards the federal government, general?"

"I loved the old government in 1861. I love the old Constitution yet. I think it the best government in the world, if administered as it was before the war. I do not hate it; I am opposing now only the radical revolutionists who are trying to destroy it. I believe that party to be composed, as I know it is in Tennessee, of the worst men on God's earth—men who would hesitate at no crime, and who have only one object in view—to enrich themselves."

## ON BROWNLOW AND THE K. K. K.

"In the event of Governor Brownlow calling out the militia, do you think there will be any resistance offered to their acts?" I asked.

"That will depend upon circumstances. If the militia are simply called out, and do not interfere with or molest any one, I do not think there will be any fight. If, on the contrary, they do what I believe they will do, commit outrages, or even one outrage, upon the people, they and Mr. Brownlow's government will be swept out of existence; not a radical will be left alive. If the militia are called out, we cannot but look upon it as a declaration of war, because Mr. Brownlow has already issued his proclamation directing them to shoot down the Ku-Klux wherever they find them, and he calls all southern men Ku-Klux."

"Why, general, we people up north have regarded the Ku-Klux as an organization which existed only in the frightened imaginations of a few politicians."

#### THE KU-KLUX KLAN.

"Well, sir, there is such an organization, not only in Tennessee, but all over the south, and its numbers have not been exaggerated."

"What are its numbers, general?"

"In Tennessee there are over 40,000; in all the southern States they number about 550,000 men."

"What is the character of the organization; may I inquire?"

"Yes, sir. It is a protective political military organization. I am willing to show any man the constitution of the society. The members are sworn to *recognize* the government of the United States. It does not say anything at all about the government of Tennessee. Its objects originally were protection against Loyal Leagues and the Grand Army of the Republic; but after it became general it was found that political matters and interests could best be promoted within it, and it was then made a political organization, giving its support, of course, to the democratic party."

"But is the organization connected throughout the State?"

"Yes, it is. In each voting precinct there is a captain, who, in addition to his other duties, is required to make out a list of names of men in his precinct, giving all the radicals and all the democrats who are positively known; and showing also the doubtful on both sides and of both colors. This list of names is forwarded to the grand commander of the State, who is thus enabled to know who are our friends and who are not."

"Can you, or are you at liberty to give me the name of the commanding officer of this State?"

"No, it would be impolitic."

#### PROBABILITIES OF A CONFLICT IN TENNESSEE.

"Then I suppose that there can be no doubt of a conflict if the militia interfere with the people; is that your view?"

"Yes, sir; if they attempt to carry out Governor Brownlow's proclamation, by shooting down Ku-Klux—for he calls all southern men Ku-Klux—if they go to hunting down and shooting these men, there will be war, and a bloodier one than we have ever witnessed. I have told these radicals here what they might expect in such an event. I have no powder to burn killing negroes. I intend to kill the radicals. I have told them this and more; there is not a radical leader in this town but is a marked man, and if a trouble should break out, none of them would be left alive. I have told them that they are trying to create a disturbance and then slip out and leave the consequences to fall upon the negroes, but they can't do it. Their houses are picketed, and when the fight comes not one of them would get out of this town alive. We don't intend they shall ever get out of the country. But I want it distinctly understood that I am opposed to any war, and will only fight in self-defence. If the militia attack us, we will resist to the last, and, if necessary, I think I could raise 40,000 men in five days, ready for the field."

#### THINKS THE K. K. K. BENEFICIAL.

"Do you think, general, that the Ku-Klux have been of any benefit to the State?"

"No doubt of it. Since its organization, the leagues have quit killing and murdering our people. There were some foolish young men who put masks on their faces and rode over the country, frightening negroes, but orders have been issued to stop that, and it has ceased. You may say, further, that three members of the Ku-Klux have been court-martialed and shot for violations of the orders not to disturb or molest people."

"Are you a member of the Ku-Klux, general?"

"I am not, but am in sympathy and will co-operate with them. I know that they are charged with many crimes that they are not guilty of. A case in point is the killing of Bierfield, at Franklin, a few days ago. I sent a man up there especially to investigate the case, and report to me, and I have his letter here now, in which he states that they had nothing to do with it as an organization."

#### NEGRO SUFFRAGE.

"What do you think of negro suffrage?"

"I am opposed to it under any and all circumstances; and in our convention urged our party not to commit themselves at all upon the subject. If the negroes vote to enfranchise us, I do not think I would favor their disfranchisement. We will stand by those who help us; and here I want you to understand distinctly, I am not an enemy to the negro. We want him here among us; he is the only laboring class we have, and more than that, I would sooner trust him than the white scalawag or carpet-bagger. When I entered the army I took 47 negroes into the army with me, and 45 of them were surrendered with me. I said to them at the start: 'This fight is against slavery; if we lose it, you will be made free; if we whip in the fight, and you stay with me and be good boys, I will set you free. In either case you will be free.' Those boys stayed with me, drove my teams, and better confederates did not live."

#### THE K. K. K. AND SAMBO.

"Do you think the Ku-Klux will try to intimidate the negroes at the election?"

"I do not think they will. Why, I made a speech at Brownsville the other day, and while there, a lieutenant, who served with me, came to me and informed me that a band of radicals had been going through the country claiming to be Ku-Klux, and disarming the negroes, and then selling their arms. I told him to have the matter investigated, and if true, to have the parties arrested."

#### THE AMNESTY.

"What do you think is the effect of the amnesty granted to your people?"

"I believe that the amnesty restored all the rights to the people, full and complete. I do not think the federal government has the right to disfranchise any man, but I believe that the legislatures of the States have. The objection I have to the disfranchisement in Tennessee is, that the legislature which enacted the law had no constitutional existence, and the law in itself is a nullity. Still, I would respect it until changed by law; but there is a limit beyond which men cannot be driven, and I am ready to die sooner than sacrifice my honor. This thing must have an end, and it is now about time for that end to come."

## GRANT.

"What do you think of General Grant?" I asked.

"I regard him as a great military commander, a good man, honest and liberal, and if elected, will, I hope and believe, execute the laws honestly and faithfully; and, by the way, a report has been published in some of the papers, stating that while General Grant and lady were at Corinth, in 1862, they took and carried off furniture and other property. I here brand the author as a liar. I was at Corinth only a short time ago, and I personally investigated the whole matter, talked with the people with whom he and his lady lived while there, and they say that their conduct was everything that could have been expected of a gentleman and lady, and deserving the highest praise. I am opposed to General Grant in everything, but I would do him justice."

The foregoing is the principal part of my conversation with the general. I give the conversation, and leave the reader to form his own opinion as to what General Forrest means to do. I think that he has been so plain in his talk that it cannot be misunderstood.

NASHVILLE, *September 5.*

The following is a copy of General Forrest's letter to Mr. Woodward, correspondent of the Cincinnati Commercial:

MEMPHIS, *September 3.*

DEAR SIR: I have just read your letter in the Commercial, giving a report of our conversation on Friday last. I do not think you would intentionally misrepresent me, but have done so, and, I suppose, because you misunderstood my meaning. The portions of your letter to which I object are corrected in the following paragraph:

I promised the legislature my personal influence and aid in maintaining order and enforcing the laws. I have never advised the people to resist any law, but to submit to the laws until they can be corrected by lawful legislation. I said the militia bill would occasion no trouble, unless they violated the law by carrying out the governor's proclamation, which I believed to be unconstitutional, and in violation of the law in shooting men down without trial, as recommended by that proclamation. I said it was reported, and I believe the report, that there are 40,000 Ku-Klux in Tennessee, and I believe the organization stronger in other States. I meant to imply when I said that the Ku-Klux recognize the federal government, that they would obey all State laws; that they recognize all laws, and will obey them, I have been informed, in protecting peaceable citizens from oppression from any quarter. I did not say that any man's house was picketed. I did not mean to convey the idea that I would raise any troops, and more than that, no man could do it in five days, even if they were organized.

I said that General Grant was at Holly Springs, and not at Corinth. I said the charge against him was false; did not use the word liar. I cannot consent to remain silent in this matter, for if I did so, under an incorrect impression of my personal views, I might be looked upon as one desiring a conflict, when, in truth, I am so adverse to anything of the kind that I will make any honorable sacrifice to avoid it. Hoping that I may have this explanation placed before your readers,

I remain, very respectfully,

N. B. FORREST.

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HEADQUARTERS DISTRICT OF NASHVILLE,  
*Nashville, Tennessee, September 27, 1868.*

GENERAL: For the information of the major general commanding, I have the honor to make the following report:

Immediately on receipt of authority, by telegraph, to furnish the troops asked for by Mayor Alden, I sent the mayor a copy of the telegram from department headquarters, accompanied by a letter, of which the following is a copy:

HEADQUARTERS DISTRICT OF NASHVILLE,  
*Nashville, Tennessee, September 25, 1868.*

SIR: I have the honor to enclose herewith a telegram from headquarters department of the Cumberland, authorizing me to furnish the troops



asked for in your communication of yesterday. In accordance with such authority I will send to the capitol by 8 o'clock a. m., to-morrow, a force of 75 men, properly officered, which force will be held in readiness to proceed to any point in the city where a riot may occur which cannot be quelled by the civil authorities. At 8 o'clock a. m., to-morrow, I will be at your office to confer with you personally as to any further arrangements that may be necessary.

I am, sir, very respectfully, your obedient servant,  
 GEORGE A. WOODWARD,

*Lt. Col. 45th Infantry, Bvt. Col. U. S. A., Commanding District.*

Hon. A. E. ALDEN, Mayor city of Nashville.

I then issued the several orders, copies of which are here inserted, as follows:

[Special Orders No. 53.—Extract.]

HEADQUARTERS DISTRICT OF NASHVILLE,  
*Nashville, Tennessee, September 25, 1868.*

\* \* \* \* \*

III. The commanding officer, post of Nashville, will detail two commissioned officers and 40 men of the 25th infantry, under his command, to report to these headquarters at 7 o'clock a. m., to-morrow, the 26th instant, for duty in the city of Nashville, to be held in readiness in case of riot or disturbance during the municipal election, which takes place to-morrow.

The detachment will be furnished with 20 rounds of ammunition each, and one day's cooked rations. The commanding officer of the detachment will report to Brevet Colonel George A. Woodward, commanding district, for special instructions.

\* \* \* \* \*

By command of Brevet Colonel Woodward :

WM. W. ROGERS,

*First Lieut. 45th Infantry, Bvt. Capt. U. S. A., A. A. A. G.*

[Special Orders No. 53.—Extract.]

HEADQUARTERS DISTRICT OF NASHVILLE,  
*Nashville, Tennessee, September 25, 1868.*

\* \* \* \* \*

II. The commanding officer of the 45th infantry will detail from his command a detachment of thirty-five (35) enlisted men and two commissioned officers, to report to these headquarters at 7 o'clock a. m. to-morrow, the 26th instant, for duty in the city of Nashville, to be held in readiness to quell any riot or disturbance that may occur during the municipal election which takes place to-morrow.

The detachment will be furnished with one (1) day's cooked rations in haversacks, and each man supplied with twenty (20) rounds of ammunition.

The commanding officer of the detachment will report in person to Brevet Colonel George A. Woodward, commanding, for special instructions.

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By command of Brevet Colonel Woodward.

WM. W. ROGERS,

*First Lieut. 45th Inf'y, Bvt. Capt. U. S. A., A. A. A. G.*

[Special Orders No. 125.—Extract.]

HEADQUARTERS POST OF NASHVILLE,  
*Nashville, Tennessee, September 25, 1868.*

I. Second Lieutenant Samuel Craig, commanding detachment of the 25th infantry, on duty at this post, will detail from his command one second lieutenant, two sergeants, three corporals, and thirty-five privates, which detachment will be paraded at 7 o'clock a. m. to-morrow, the 26th instant, in fatigue dress, provided with twenty (20) rounds of ammunition per man in cartridge-boxes, and cooked rations for dinner and supper in haversacks. Lieutenant Craig, in command of the detachment, will report therewith to Brevet Major C. H. Frederick, first lieutenant 45th infantry, for duty in aiding the civil authorities in suppressing riots, should any occur during the municipal election.

By command of Brevet Colonel Woodward:

S. J. GURNEY,  
*Second Lieut. 45th Inf'y, Post Adjutant.*

[Special Orders No. 93.—Extract.]

HEADQUARTERS 45TH INFANTRY,  
*Nashville, Tennessee, September 25, 1868.*

1. The commanding officers of companies A and F, 45th infantry, will detail from their respective commands detachments as follows:

Company A, one first sergeant, one sergeant, three corporals, one drummer, and ten privates; company F, one sergeant, three corporals, and sixteen privates; which detachments will be paraded at 7 o'clock a. m. to-morrow, the 26th instant, in fatigue dress, with twenty (20) rounds of ammunition in cartridge-boxes, and cooked provisions for dinner and supper in haversacks.

These details, after being paraded, will be consolidated into one detachment, of which Brevet Major C. H. Frederick, first lieutenant company F, 45th infantry, will assume command. Promptly at 7.30 Major Frederick will move his command to the capitol, and will there hold it in readiness to proceed to any part of the city where its services may be required in the suppression of riots. Major Frederick will take orders only from the commanding officer of the district of Nashville as to the movement and disposition of the troops under his command.

Second Lieutenant S. J. Gurney, company F, 45th infantry, will report to Brevet Major Frederick for duty with the detachment under his command.

By command of Brevet Colonel Woodward:

S. J. GURNEY,  
*Second Lieut. 45th Inf'y, Acting Reg'tl Adj't.*

At 9.30 p. m. of the same day (September 25) a messenger from police headquarters arrived, bringing me a letter, of which the following is a copy:

OFFICE COMMISSIONERS METROPOLITAN POLICE,  
46 and 48 Cedar street, Nashville, Tennessee, September 25, 1868—9.15 p. m.

Colonel WOODWARD, *Commanding Post*:

Please send in, at your earliest possible convenience, a company. There has been a murderous assault on the procession.

Yours truly,

HENRY STONE,  
*Superintending Commissioner Metropolitan Police.*

I immediately caused the long roll to be sounded, and, although the entire command had retired, both officers and men turned out with considerable promptitude. As rapidly as possible I made up a force composed of company F, 45th infantry, and the detachment of the 25th infantry now stationed here, amounting in all to about 70 men, which I placed under command of Brevet Major Frederick, first lieutenant 45th infantry, and Second Lieutenant S. J. Gurney, 45th infantry. I placed company A, 45th infantry, under command of Second Lieutenant M. Mangan, 45th infantry, officer of the day, with instructions to let the men lie on their arms, in readiness to respond, at a moment's notice, to any call that might be made for their services. I then proceeded to follow the force under command of Major Frederick, which I had despatched to the city, and divided it into two detachments. I caused the men to load and marched them, with all possible promptitude, to the headquarters of the metropolitan police in the city. Upon arriving there I found that the disturbance that had occasioned the call for troops was at an end, although scattered reports of firearms were still frequent, and much excitement prevailed. After consultation with Police Commissioner Stone, and at his request, I directed Major Frederick to remain at police headquarters during the night with company F, 45th infantry, and sent the remainder of the force back to camp under Lieutenant Gurney. At 7.30 a. m., September 26, pursuant to the instructions contained in telegram from department headquarters of the 25th instant, I despatched a force of 75 men, composed of companies A and F, 45th infantry, and 40 men of the 25th infantry, under command of Brevet Major Frederick, assisted by Lieutenants Craig and Barnhart, of the 25th infantry, and Lieutenant Gurney, of the 45th infantry, to the State capitol, accompanied by Brevet Captain W. W. Rogers, acting assistant adjutant general district of Nashville. I repaired to the mayor's office in the city, and, after a conference with him, I joined the command at the capitol, and remained there until afternoon, when, finding all quiet in the city, I returned to camp, leaving Second Lieutenant Warren R. Dunton, 2d infantry, who had kindly volunteered as an aid on this occasion, at the capitol, with instructions to bring me intelligence of any disturbance that might occur, or any demand that might be made for the services of the troops.

Between 3 and 4 o'clock p. m., just previous to the closing of the polls, a disturbance occurred at the 4th ward polls, near the scene of the riot the night previous, which, for a while, threatened to become serious. At the request of the mayor and Police Commissioner Stone, and pursuant to instructions from me, Major Frederick marched his command to the vicinity of the scene of disorder, and took his position, to be in readiness to aid the civil authorities in case they should be unable to quell the disturbance. The presence of the troops operated as an efficient preventative of any further development of the disorder, and quiet soon ensued. About 4 o'clock p. m., manifestations of turbulence occurred in the 9th ward, and, at the instance of the civil authorities, Lieutenant Gurney was despatched with a detachment to that locality, where his presence served at once to suppress any further disturbance. Between 5 and 6 o'clock p. m., the crowd in the 9th ward having dispersed, Lieutenant Gurney's command was withdrawn and returned to camp. Major Frederick's command, excepting a detachment under Lieutenant Craig, which remained at police headquarters, returned to camp at 8 o'clock p. m.

Lieutenant Craig remained at police headquarters till 10 o'clock p. m., when everything having become quiet, his command was withdrawn and returned to barracks. It gives me pleasure to bear testimony of the

excellent behavior of the officers and men under my command during this period of excitement and disorder.

I am, general, very respectfully, your obedient servant,

GEORGE A. WOODWARD,

*Lieut. Col. 45th Inf., Bvt. Col. U. S. A., Com'dg District.*

Brevet Major General WM. D. WHIPPLE,

*Asst. Adjt. Gen., Dept. of the Cumberland, Louisville, Ky.*

Official:

ALFRED L. HOUGH,

*Brevet Colonel U. S. A., A. A. A. G.*

OFFICE OF COMMISSIONER OF METROPOLITAN POLICE,

46 AND 48 CEDAR STREET,

*Nashville, Tennessee, September 27, 1868.*

GENERAL: I have the honor to send you the following statement of the action of the troops at this place, under the command of Brevet Colonel George A. Woodward, 45th United States infantry, on the night of the 25th instant, and during the day of election, on the 26th, so far as the same came under my own knowledge or observation.

An immense torchlight procession, the head of which had reached the public square, was moving through the public streets on the night of the 25th instant, when, at a few minutes after 9 o'clock p. m., it was fired into almost simultaneously at three different points, viz: on Cedar street near the square, at the corner of Cherry and Deaderick streets, and at the corner of Cherry and Union streets. The procession was instantly thrown into confusion, but after a few minutes, by the aid of prominent citizens and the police, quiet was restored and the procession reformed. As soon as it commenced moving again the firing was renewed at nearly the same points, and also on the public square. By most strenuous exertions the police succeeded in again restoring comparative order, but it was evident that there existed in the crowd the elements of serious disorder, and that the riot was only held in check in its incipient stages by the promptness of the police, every man of whom was on duty. The threatening attitude of the rioters and the renewal of the shooting, as soon as any portion of the procession formed, induced me, after consultation with the sheriff of the county and the mayor of the city, to request Colonel Woodward to aid in preserving the peace. While waiting the arrival of the troops, I directed every exertion of the police to induce the people composing the processions, and others who thronged the streets, to return to their homes, and with considerable success, so that by 10 o'clock a very fair degree of quiet was restored. In a very few minutes, so short a time that it seemed almost impossible for them to have marched from the barracks, Colonel Woodward reported to me at the police station that he had his command there ready to aid the civil authorities. Believing that the services of one company would be sufficient, I so reported to the colonel, who detailed a company, under command of Major Frederick, to remain through the night, while he with the rest of the troops returned to the barracks. Fortunately there was no occasion to use the troops that night, but the mere fact of their presence had a most salutary effect.

The next morning, 26th instant, at 8 o'clock, Colonel Woodward reported to the mayor of the city with his command, which during the day was stationed at the capitol. There was no occasion to call upon them until just at the close of the polls in the 4th ward, where the evidences

of a contemplated outburst, and an attempt to break into the polling place and destroy the ballots while the judges and clerks were counting them, became so strong that I requested Major Frederick, whom Colonel Woodward had left temporarily in command, to send a company to that vicinity, where were gathered a crowd of several thousand, extending from the corner of Cedar and Cherry streets to below the old theatre, growing every moment more noisy and excited. Major Frederick very promptly marched his entire command to that immediate vicinity, and stationed one company directly opposite the polling place. Their arrival and the steadiness of their bearing had a most marked effect on the crowd, which at once became quiet and began gradually to disperse. At this time a report reached me that a riot was threatening in the 9th ward, and by my request Major Frederick sent a company there, which, on arriving, found everything quiet, and very soon returned to barracks. As soon as the polls in the 4th ward were closed and the vote counted, the troops remaining in town were marched to the police station, where one company remained until 8 o'clock p. m., and the remainder until a few minutes after 9 p. m., when, as everything was quiet throughout the city, there seemed no further need of their services, and they returned to barracks.

There can be no doubt that the presence of the troops prevented most serious disturbances during the day of election, and the promptness with which Colonel Woodward responded to my requests, and his hearty co-operation, together with that of Major Frederick, in every call made upon him by the civil authorities, with a view to preserve the public peace, deserve the highest praise. Even the most violent partisan has made no complaint; on the contrary, every good citizen has commended their action.

The conduct of the troops throughout was unexceptionable. I have deemed it proper to make this statement on behalf of the civil authorities of this city, in order that you might be fully satisfied that every step taken by the military was in subordination to and at the request of the civil authorities, and that neither by appearance nor in reality was there any sort of interference in the election on the part of the United States troops.

I have the honor to be, general, very respectfully, your obedient servant,

HENRY STONE,

*Supt. Comm'r's Metropolitan Police.*

Major General GEORGE H. THOMAS,

*U. S. Army, Comd'g Dep't of Cumberland, Louisville, Ky.*

Official:

ALFRED L. HOUGH,

*Brevet Colonel U. S. A., A. A. A. G.*

## REPORT OF MAJOR GENERAL W. S. HANCOCK.

NEW YORK, October 31, 1868.

SIR: In compliance with instructions received from the General commanding the army of the United States, I have the honor to submit the following report of operations within the commands held by me (fifth military district and military division of the Atlantic) during the past year.

In accordance with General Orders No. 81, headquarters of the army, Adjutant General's office, Washington, August 27, 1867, I transferred

the command of the department of Missouri, September 12, 1867, to Major General P. H. Sheridan, and immediately started for New Orleans, Louisiana, to assume command of the fifth military district, as directed in said order, and had proceeded as far as St. Louis, *en route* to New Orleans, when I was called to Washington, D. C., by a telegram from the commander-in-chief, at the instance of his Excellency the President of the United States, where I remained for some days, and then returned to St. Louis with instructions to delay my journey to New Orleans until further orders, based upon the prevalence of the yellow fever there, and accordingly did not proceed to that city until the latter part of November, (29th,) when I immediately assumed command of the fifth military district, which was composed of the States of Louisiana and Texas, relieving therefrom Brevet Major General Joseph A. Mower, colonel 39th United States infantry, who had succeeded to the command by virtue of his seniority in rank after the death of Brevet Major General Charles Griffin, to whom Major General Sheridan had relinquished the command on his departure.

I append hereto a copy of the order (General Orders, No. 40, headquarters fifth military district, New Orleans, Louisiana, November 29, 1867,) which I issued immediately upon my arrival at New Orleans, announcing the principles upon which I intended to administer the civil affairs of the district, under the authority invested in commanders of districts by the reconstruction acts of Congress, and as laid down for my guidance in the instructions from his Excellency the President to General Grant, dated Washington, August 27, 1867, substituting myself instead of Major General Thomas to relieve Major General Sheridan of the command of the fifth military district. At the date I assumed command, Louisiana and Texas were garrisoned by the following troops:

## LOUISIANA.

Organization.	Post.
Headquarters 1st United States infantry, companies D, E, F, H, I, and K.	Jackson Barracks.
Light company K, 1st United States artillery.....	Jackson Barracks.
Headquarters 39th United States infantry, companies A, G, I, and K.	New Orleans.
Detachment 1st United States infantry, companies A, B, C, and G.	New Orleans.
Headquarters 20th United States infantry, companies A, E, G, and K.	Baton Rouge.
Detachment 20th United States infantry, company B.....	Alexandria.
Detachment 20th United States infantry, companies F and I.....	Monroe.
Detachment 4th United States cavalry, company E.....	Monroe.
Detachment 20th United States infantry, company H.....	Shreveport.
Detachment 39th United States infantry, companies B, E, and H...	Ship island.
Detachment 39th United States infantry, companies D and F.....	Forts Jackson and St. Philip.
Detachment 39th United States infantry, company C.....	Fort Pike.
Detachment 6th United States cavalry, company G.....	Headquarters guard, New Orleans.

## TEXAS.

Headquarters 17th United States infantry, companies E, F, and K..	Galveston.
Detachment 17th United States infantry, companies C and D.....	Houston.
Detachment 17th United States infantry, company H.....	Brenham.
Detachment 17th United States infantry, companies A and B.....	Hempstead.
Detachment 17th United States infantry, company G.....	Woodville.
Detachment 17th United States infantry, company I.....	Round Top.
Detachment 20th United States infantry, company C.....	Marshall.
Headquarters 26th United States infantry, companies C and K.....	Austin.
Detachment 26th United States infantry, companies E, F, and I....	Tyler.
Detachment 26th United States infantry, company G.....	Kaufman.
Detachment 26th United States infantry, companies A and B.....	Nacogdoches.
Detachment 26th United States infantry, company H.....	Waco.

*Texas—Continued.*

Organization.	Post.
Detachment 20th United States infantry, company D .....	Jefferson.
Detachment 4th United States cavalry, company I .....	Jefferson.
Detachment 26th United States infantry, company D .....	Centerville.
Headquarters 35th United States infantry, companies C, E, and I...	San Antonio.
Detachment 35th United States infantry, companies A and K.....	Concordia.
Detachment 35th United States infantry, company B.....	Indianola.
Detachment 35th United States infantry, company F.....	Seguin.
Detachment 35th United States infantry, company D .....	Refugio.
Detachment 35th United States infantry, company H .....	Goliad.
Detachment 35th United States infantry, company I.....	Weatherford.
Detachment 35th United States infantry, detachment company H....	Hallettsville.
Headquarters 4th United States cavalry, companies B and L.....	Camp Verde.
Detachment 4th United States cavalry, companies A, D, G, H, and M.	Fort Chadbourne.
Detachment 4th United States cavalry, company C .....	Fort Clark.
Detachment 4th United States cavalry, company F .....	Fort Mason.
Detachment 4th United States cavalry, company K .....	Fort Juge.
Headquarters 6th United States cavalry, company B.....	Austin.
Detachment 6th United States cavalry, companies I, K, F, and L....	Camp Wilson.
Detachment 6th United States cavalry, companies H and M .....	Mount Pleasant.
Detachment 6th United States cavalry, A, C, D, and E.....	Buffalo Springs.
Headquarters 9th United States cavalry, companies A, B, C, and K.	Camp Stockton.
Detachment 9th United States cavalry, companies C, F, H, and I....	Fort Davis.
Detachment 9th United States cavalry, companies D and G .....	Fort Hudson.
Headquarters 41st United States infantry, companies C, F, and H....	Brownsville.
Detachment 9th United States cavalry, companies L and M .....	Brownsville.
Light company I, 1st United States artillery.....	Brownsville.
Detachment 41st United States infantry, companies A, D, and G....	Ringgold Barracks.
Detachment 41st United States infantry, company E.....	Fort McIntosh.
Detachment 41st United States infantry, company B.....	Point Isabel.

No important military operations occurred while I held the command of the district. The Indians on the frontier of Texas were comparatively quiet. A war party, estimated from 45 to 100 in numbers, (tribe or tribes unknown,) attacked a settlement at Clear Creek, Montague county, Texas, about the 8th January, 1867, killing five men, one woman, and one child, and carrying into captivity four women and six children. I forward herewith the reports received by me of this affair from Brevet Major General J. J. Reynolds, commanding district of Texas, showing the action taken in the premises by the military authorities in that State.

For the more effectual protection of the northwestern frontier of Texas, I directed the establishment of four new military posts, as is shown by copy of Special Orders No. 27, dated headquarters fifth military district, New Orleans, Louisiana, February 6, 1868, appended hereto.

Much of the most important action taken by me as commander of the fifth military district, in connection with civil affairs, is set forth in the following specified orders:

General Orders No. 40, of November 29, 1867, already alluded to.

Paragraph 3 of Special Orders No. 202, dated December 4, 1867, directing the repair of certain levees, which were in a dangerous condition in the vicinity of New Orleans, threatening that city and the line of the Jackson railway.

Paragraph 2 of Special Orders No. 203, of December 5, 1867, relative to the qualifications of persons to be placed on the jury lists of the State of Louisiana.

Paragraphs 1 to 12 inclusive of Special Orders No. 213, of December 18, 1867, giving notice that an election would be held in the State of

Texas on the 10th, 11th, 12th, 13th, and 14th days of February, 1868, in compliance with supplementary acts of Congress of March 23, 1867, to determine whether a convention should be held, and for delegates to said convention to form a constitution for the State of Texas under said act of Congress.

General Orders No. 1, of January 1, 1868, relative to purely civil controversies.

Paragraph 8 of Special Orders No. 1, of January 2, 1868, appointing his excellency Joshua Baker, to be governor of the State of Louisiana, *vice* his excellency Benjamin F. Flanders, resigned. I take occasion here to express my sincere thanks to those distinguished gentlemen for their cordial co-operation with me while I was in command of the fifth military district. They rendered most valuable assistance in adjusting many grave matters connected with the civil government of the State of Louisiana.

General Orders No. 3, of January 11, 1868, in which were republished certain memoranda for the "guidance of boards of registrars," and "questions to be answered by persons proposing to register," distributed from headquarters fifth military district, in the month of May, 1867, with my dissent therefrom, and reasons for said dissent as commander of said district.

Extract from Special Orders No. 26, of February 5, 1868, terminating the investigation in the matter of the charges of malfeasance in office against William Baker, street commissioner for the city of New Orleans, and removing him from said office.

Special Orders No. 28, of February 7, 1868, removing certain members of the boards of aldermen and assistant aldermen of the city of New Orleans for proceeding to hold an election in contempt of orders from headquarters fifth military district. The persons removed from office by the provisions of this order were subsequently replaced by orders from the General commanding the army. I file herewith a complete record of my action in the premises.

Special Orders No. 40, of February 22, 1868, referring to the revenues, dues, taxes, &c., of the State of Louisiana, and the financial condition of the State treasury.

Paragraph 5 of Special Orders No. 46, of February 29, 1868, directing the rebuilding, upon urgent necessity, of certain levees in the parish of St. Charles, Louisiana.

Paragraph 2 of Special Orders No. 50, of March 5, 1868, reinstating William Baker in the office of street commissioner for the city of New Orleans, in compliance with instructions to that effect from the General commanding the army.

Special Orders No. 54, of March 10, 1868, appointing members of boards of registration for the election which was then approaching in the State of Louisiana, under the provisions of section 4 of supplementary act of Congress of March 23, 1867.

In selecting those registrars the greatest care was taken that none but suitable persons of acknowledged good character were appointed. As far as practicable the registrars designated by Major General Sheridan when he issued his order of April 20, 1867, for the registration of the legal voters in the State of Louisiana, were retained. When such was not the case it was for the reason that the persons rejected were reported in the records of General Sheridan's office as not having performed their duties faithfully or honestly. It is proper to state here that about 130 of the registrars in question were appointed by my successor after I had been relieved from the command of the district.



Paragraph 3 of Special Orders No. 55, of March 11, 1868, providing for an election to be held in the State of Louisiana on the 17th and 18th days of April, 1868, for the ratification or rejection of the constitution formed by the convention assembled at New Orleans under the reconstruction acts of Congress, and in compliance with Special Orders No. 166, headquarters fifth military district, of October 21, 1867.

Paragraph 1 of Special Orders No. 57, of March 13, 1868, in which appeals from decisions of boards of registration of the previous raised registry of the State of Texas are decided and announced. Many appeals were yet undecided at the date of my departure, for want of time.

Official copies of the orders mentioned herein are attached to this report, and each contains, I believe, my reasons in full for the action taken in the matter to which it relates.

I have also the honor to file herewith copies of the following letters from my headquarters relating to various important subjects while I was in command of the fifth military district :

Letter to the Hon. E. Heath, mayor of the city of New Orleans, of December 20, 1867, relative to suits brought against that city on its own notes.

Letter addressed to Lieutenant Colonel W. H. Wood, 1st United States infantry, commanding district of Louisiana, dated December 28, 1867, referring to an election held in Avoyelles parish, Louisiana.

Letter to Hon. John Hancock, of Austin, Texas, of same date, relating to the powers and decisions of boards of registration.

Letter of same date to his excellency E. M. Pease, governor of the State of Texas, in reply to a request from him that a military commission should be ordered for the trial of one S. W. Wall, and such other prisoners as should be brought before it.

Letter addressed to his excellency Governor B. F. Flanders, dated December 30, 1867, referring to certain charges made against the police jury, parish of Orleans.

Communication addressed to Henry Van Vleet, esq., chief engineer New Orleans, Mobile and Chattanooga Railroad Company, referring to an order requested to be issued relative to said railroad company, dated January 2, 1868.

Letter dated January 7, 1867, in reply to a letter from the Hon. John C. Ireland, late judge of the second judicial district of Texas, relative to his removal from office.

Communication addressed to his excellency E. M. Pease, governor of Texas, dated January 12, 1868, referring to an application of the mayor and city council of Houston, Texas, to hold an election to determine whether a school tax should be levied or not.

Letter dated January 15, 1867, in reply to a communication from Hon. W. H. Cooley in which he desires to be informed whether an ordinance which the constitutional convention (he was a member thereof) may adopt providing for a stay of execution on all judgments rendered in the State of Louisiana, by State courts, until the 1st of January, 1870—excepting judgments for taxes and for laborers' wages—would be enforced by military authority.

Letter dated January 15, 1868, addressed to H. Peralta, esq., auditor of public accounts, New Orleans, referring to the collection of taxes imposed by the constitutional convention.

Letter of date January 17, 1867, addressed William L. McMillan, chairman of constitutional convention, on the subject of collection of a tax authorized by ordinance of said convention for its own expenses.

Communication of January 21, 1868, addressed to Hon. W. P. McMillan and Hon. M. Vidal, special committee, referring to the second ordinance of the constitutional convention of Louisiana providing a new mode for the collection of the tax, imposing penalties on defaulters, &c.

Letter dated January 21, 1868, addressed to Brevet Major General R. C. Buchanan, commanding district of Louisiana, in reply to a letter from Brevet Captain John H. Brough, commissioner of the Freedmen's Bureau, relative to a complaint of certain freedmen on Buena Vista plantation.

Letter of same date addressed to Brevet Major General J. J. Reynolds, commanding district of Texas, referring to a disturbance which occurred at Marshall, Texas. Enclosed with this letter will be found copy of General Reynolds's letter, and report of Colonel Wood, who was ordered to make an investigation in the premises.

Communication of February 12, 1868, addressed to Brevet Major General R. C. Buchanan, assistant commissioner of Bureau Refugees, Freedmen and Abandoned Lands, in the State of Louisiana, referring to certain inquiries put by A. W. Murtagh, agent of the Freedmen's Bureau at Abbeville, Louisiana.

Letter to Major General O. O. Howard, Commissioner Bureau Refugee Freedmen's and Abandoned Lands, dated February 24, 1868, relative to a report made by Captain E. Collins, 17th United States infantry, sub-assistant commissioner at Benham, Texas.

Communication February 27, 1868, addressed to Brevet Major General J. J. Reynolds, commanding district of Texas, relative to a certain pamphlet containing orders and circulars under which agents of the Freedmen's Bureau had acted, &c.

Letters to Brevet Major General J. J. Reynolds, commanding district of Texas, of March 3, 1868, in reply to a copy of an order proposed to be issued by him for the information and guidance of agents of the Freedmen's Bureau.

Also a letter addressed to his excellency Governor E. M. Pease, of Texas, dated March 9, 1868, in answer to a communication from him of January 17, 1867, replying to a former letter from me dated December 28, 1867, previously alluded to in this report, on the subject of military commissions, with a copy of said letter of Governor Pease of January 17, 1867, in which he comments freely upon my administration of civil affairs in the State of Texas, the provisions and intentions of the reconstruction acts, &c., &c.

In making appointments to civil offices in the States of Louisiana and Texas, great care was taken by me to select none but persons who could take the test oath prescribed by the acts of Congress of July 2, 1862, (see letters of December 4th and 11th, 1867, to the commander-in-chief, on this subject appended hereto) also letter of January 7, 1868, to John M. Wiggins, esq., of Texas, in reply to inquiries from him.

In all cases of appointments to elective offices the recommendations of the governor of the State of Louisiana, and of the governor and district commander of Texas, were requested before action was taken, and were followed, with two or three unimportant exceptions, and in appointing other civil officers I selected none save those whom strict inquiry proved to be loyal, honest and capable.

No removals from civil offices were made except upon most satisfactory evidence of dishonesty and incapability, or malfeasance of those displaced, and I may here take occasion to state that during my whole administration of affairs in the 5th military district all of my energies were bent towards carrying out the reconstruction acts of Congress in what I conceived to

be their true spirit, while at the same time I endeavored to forward and protect to the best of my ability the vast interests of the people of the States of Louisiana and Texas, confided to my care for the time being, by the orders of his Excellency the President of the United States, giving myself only the latitude permitted me by the laws.

The action of the commander-in-chief in revoking Special Orders No. 28, headquarters 5th military district, dated February 7, 1868, (previously mentioned herein,) removing certain members of the boards of aldermen and assistant aldermen of the city of New Orleans for proceeding to hold an election in contempt of orders from headquarters 5th military district, and similar action on his part in restoring to office (revoking my order of removal) Street Commissioner William Baker, whom I had removed upon convincing evidence of corruption, and other unfitness for said position, determined me to ask that I should be relieved from the command of the district for the reason that I was convinced that my authority and usefulness in that capacity was seriously impaired by the action referred to of the commanding general, and it was therefore no longer for the interests of the service nor agreeable to me to remain in that capacity. I accordingly made such a request, and in compliance therewith was relieved from that command and assigned to the military division of the Atlantic, in General Orders No. 17, headquarters of the army, Adjutant General's office, Washington, March 28, 1868, transferring the command of the 5th military district to Brevet Major General J. J. Reynolds, the next in rank to myself in that district.

I assumed command of the military division of the Atlantic March 31, 1868, establishing my headquarters at Washington, as directed in said order.

This division is composed of three military departments, as follows:

Department of the Lakes, embracing the States of Ohio, Michigan, Indiana, Illinois, and Wisconsin, Brigadier and Brevet Major General John Pope, United States army, commanding, headquarters at Detroit; Department of the East, embracing the New England States, New York, New Jersey, and Pennsylvania, Brigadier and Brevet Major General Irvin McDowell, United States army, commanding, headquarters at New York city; and the Department of Washington, embracing the District of Columbia, Maryland, and Delaware, (excepting the post of Fort Delaware, which is attached to the Department of the East,) Brigadier and Brevet Major General Edward R. S. Canby commanding, headquarters in Washington, D. C. During the time I held this command there have been no military operations requiring mention. There have been on several occasions reports of intended hostile movements of the Fenians from the United States against Canada, but upon investigation the reports in question have invariably proved erroneous.

The following are the troops at present stationed within the limits of this division:

#### DEPARTMENT OF THE EAST.

Organization.	Post.
1st artillery, companies C, D, M., headquarters ....	Fort Hamilton, N. Y. harbor.
1st artillery, company B .....	Fort Wadsworth, N. Y.
1st artillery, companies E and H .....	Fort Schuyler, N. Y. harbor
1st artillery, companies A and F .....	Fort Trumbull, New London, Conn.
1st artillery, company L .....	Fort Porter, Buffalo, N. Y.
42d infantry, company C .....	Do.

*Department of the East—Continued.*

Organization	Post.
42d infantry, company A .....	Fort Niagara, Youngstown, N. Y.
42d infantry, companies B and E .....	Plattsburg barracks, Plattsburg, N. Y.
Headquarters 42d infantry, co's D, G, H, I, and K .....	Madison, Sackett's Harbor, N. Y.
Headquarters 42d infantry, company F .....	Fort Ontario, Oswego county, N. Y.
3d artillery, companies G, I, and K .....	Fort Warren, Boston Harbor, Mass.
3d artillery, company F .....	Fort Independence, Mass.
3d artillery, company M .....	Fort Preble, Portland, Me.
3d artillery, company L .....	Fort Sullivan, Eastport, Me.
Headquarters 3d artillery, companies B, D, and H .....	Fort Adams, Newport, R. I.
4th artillery, companies K and L .....	Fort Delaware, Del.

## DEPARTMENT OF THE LAKES.

Headquarters 43d infantry, co's C, F, and H .....	Fort Wayne, Mich.
Detachment unassigned recruits .....	Do.
4th artillery, light battery, company G .....	Do.
43d infantry, company A .....	Fort Gratiot, Port Huron, Mich.
43d infantry, companies D and G .....	Fort Brady, Sault St. Marie.
43d infantry, company B .....	Fort Mackinac, Mackinac.
43d infantry, company E .....	Fort Wilkins, Copper Harb'r, Mackinac.

## DEPARTMENT OF WASHINGTON.

Headquarters 12th inf., co's A, D, G, H, and I .....	Russell barracks, Washington, D. C.
4th infantry headquarters .....	Lincoln barracks, Washington, D. C.
4th artillery, company C, D, E, and H .....	Fort McHenry, Md.
4th artillery, companies A and M .....	Fort Washington, Md.
4th artillery, company I .....	Fort Foote, Md.

Recently, companies A, B, C, G, H, and I, of the 29th United States infantry, stationed at Lincoln barracks, near this city, were directed, by instructions from the War Department, to proceed to various points in the State of Tennessee, reporting for duty to Major General Thomas, commanding department of the Cumberland.

Under the same instructions from the War Department, company E, 12th United States infantry, proceeded from Russell barracks, near this city, to take post at Battery Rodgers, Virginia, within the limits of the first military district.

On the 12th instant another company of the 12th United States infantry, stationed at Russell barracks, was ordered to proceed to Fairmont, West Virginia, reporting for duty to Major General Thomas, commanding department of the Cumberland.

General Orders No. 83, headquarters of the Adjutant General's office, Washington, October 14, 1868, transferred these headquarters from Washington, D. C., to this city, where they are now established.

I also transmit herewith the reports of military operations within the last year, received from Brigadier and Brevet Major General Irwin McDowell, commanding department of the east; Brigadier and Brevet Major General John Pope, commanding department of the Lakes; Brigadier and Brevet Major General E. R. S. Canby, commanding department of Washington.

I am, sir, very respectfully, your obedient servant,

WINFIELD S. HANCOCK,  
Major General United States Army.

P. S.—The reports of the department commanders mentioned above are not transmitted herewith, for the reason that they have not yet been received at these headquarters. They will be forwarded as soon as they are received.

[General Orders No. 40.]

HEADQUARTERS FIFTH MILITARY DISTRICT,  
*New Orleans, La., November 29, 1867.*

I. In accordance with General Orders No. 81, headquarters of the army, Adjutant General's office, Washington, D. C., August 27, 1867, Major General W. S. Hancock hereby assumes command of the fifth military district and of the department composed of the States of Louisiana and Texas.

II. The general commanding is gratified to learn that peace and quiet reign in this department. It will be his purpose to preserve this condition of things. As a means to this great end he regards the maintenance of the civil authorities in the faithful execution of the laws as the most efficient under existing circumstances.

In war it is indispensable to repel force by force and overthrow and destroy opposition to lawful authority. But when insurrectionary force has been overthrown and peace established, and the civil authorities are ready and willing to perform their duties, the military power should cease to lead and the civil administration resume its natural and rightful dominion. Solemnly impressed with these views, the general announces that the great principles of American liberty still are the lawful inheritance of this people, and ever should be. The right of trial by jury, the *habeas corpus*, the liberty of the press, the freedom of speech, and the natural rights of persons and the rights of property, must be preserved.

Free institutions, while they are essential to the prosperity and happiness of the people, always furnish the strongest inducements to peace and order. Crimes and offences committed in this district must be referred to the consideration and judgment of the regular civil tribunals, and those tribunals will be supported in their lawful jurisdiction.

Should there be violations of existing laws which are not inquired into by the civil magistrates, or should failures in the administration of justice by the courts be complained of, the cases will be reported to these headquarters, when such orders will be made as may be deemed necessary.

While the general thus indicates his purpose to respect the liberties of the people, he wishes all to understand that armed insurrections or forcible resistance to the law will be instantly suppressed by arms.

By command of Major General W. S. Hancock:

W. G. MITCHELL,  
*Bvt. Lieut. Col., Acting Assistant Adjutant General.*

Official:

R. CHANDLER,  
*Captain 13th Infantry, Bvt. Major United States Army,  
Acting Assistant Adjutant General.*

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HEADQUARTERS CAMP TUCKER,  
*Buffalo Springs, Texas, January 16, 1868.*

SIR: I have the honor to submit, for the information of the major general commanding, the facts (as near as I could ascertain) relative to a massacre, which took place on Clear creek, on the 5th and 6th instant, by Indians, tribe unknown to me.

On the evening of the 8th instant, Judge Wade and a citizen named Shannon reached this post and informed me that a raid had been made

upon the settlement at Clear creek; that they had killed or captured the most of the settlers there; these persons were unable to tell me the course of the trail, or even the general direction of it. The next morning I left with them for Montague, accompanied by Lieutenant Borthurek, 6th cavalry, two non-commissioned officers, and eight privates, which town I reached that evening. I remained the following day and night. The information which I elicited was as follows: An uncertain number of Indians, variously estimated at from 45 to 100, attacked the settlement on the 5th and 6th instants, killed and carried into captivity the following named:

*Killed.*—One man named Leatherwood; one man named Parkhill; one man named Mirvuseo; one man named Fitzpatrick; one man name unknown; one woman named Mrs. Fitzpatrick; one child named Gegog.

*Carried into captivity.*—Four women and six children.

I left the detachment as a guard to Montague and its vicinity, with strict orders to the sergeant (Sergeant Swift) to repel any attack which might be made; and that if his small force was inadequate, to compel all the able-bodied citizens to assist in the protection of their homes. The citizens professed to me their perfect willingness to assist him in every way possible.

I returned to this post, and should have sent a party to attempt to intercept them, but having heard from reliable information that the greater part had passed out, and having but 24 effective horses, I knew that it was useless, as they had five days the start of me from Clear creek.

I am, sir, very respectfully, your obedient servant,

R. W. MORRIS,

*Major 6th Cavalry, Bvt. Lt. Col. U. S. A., Com'd'g Post,*

Lieutenant C. E. MORSE,

*A. D. C. and A. A. A. G., District of Texas.*

Official:

R. CHANDLER,

*Captain 13th Infantry.*

[Special Orders No. 27.]

#### HEADQUARTERS FIFTH MILITARY DISTRICT, *New Orleans, Louisiana, February 6, 1868.*

1. For the more complete and efficient protection of the northwestern frontier of Texas, the following military posts are hereby directed to be established, the location of the same having been carefully selected and recommended by a board of experienced officers:

First. A post situated in the fork of the Main and North Concho rivers, in latitude approximating 32° 24' north, and longitude 24° 22' west from Washington, for six companies of cavalry and two companies of infantry.

This post will be named Fort Concho, subject to the approval of the Secretary of War.

Second. A post on the Clear Fork of the Brazos river, at a point called Maxwell's ranch, in the northwest corner of Shackelford county, for four companies of cavalry and two companies of infantry.

This post to be named Fort Griffin, in honor of the late Brevet Major General Griffin, who recently died while in command of this military district, and in commemoration of his services during the late war, subject to the approval of the Secretary of War.

Third. A post adjoining the town of Jacksboro', Jack county, for six companies of cavalry and two companies of infantry.

This post to be named Fort Richardson, in honor of the late Major General Israel B. Richardson, who died of wounds received at the battle of Antietam, subject to the approval of the Secretary of War.

Fourth. A post on Red river, near the mouth of the Little Wichita, in Montague or Clay county, the exact position to be determined by General Reynolds, commanding district of Texas, after a careful examination and report, either by an experienced officer or by a board of officers to be detailed by him, for four companies of cavalry and two companies of infantry.

This post to be named Fort Burnham, in honor of Brigadier General Hiram Burnham, who was killed at the assault on Fort Harrison, near Richmond, Virginia, in 1864, subject to the approval of the Secretary of War.

After the establishment of the foregoing posts the main line of defence for the western and northwestern frontier of Texas will be as follows, viz: Commencing at Fort Duncan, on the Rio Grande, passing through Fort Clark, Fort Terrett, Fort McKavett, Fort Concho, (Forts Chadbourne and Phantom Hill, picket posts,) Fort Griffin, (Fort Belknap, picket,) Fort Richardson, and Fort Burnham.

The work on the new posts will be pushed forward until their completion as rapidly and constantly as possible by the quartermasters' department, aided in every way in which it can be made available by the labors of the troops, regard being had in this respect to the requirements of General Order No. 96, Adjutant General's office, of 1867.

The recommendation of the board of officers, appointed in Special Orders No. 186, of 1867, from the headquarters district of Texas, in respect to the system to be adopted for the employment of troops and method of supply on this line, is approved, and will be carried out, as far as practicable, by the commanding officer district of Texas.

The posts on the line will be connected with each other, and with San Antonio, by telegraph, if approved by the War Department.

All posts outside of this line, which may be rendered unnecessary by the establishment of this line, and by changes in post roads and lines of supplies consequent thereon, will be abandoned by orders from these headquarters when those changes are completed.

2. Upon the application of Governor Baker and the warden of the Louisiana State penitentiary, the chief quartermaster fifth military district, subject to the approval of the Secretary of War, will temporarily furnish forage for 25 mules engaged in the work of the penitentiary upon the levees, the cost thereof to be charged against the State, and to be reimbursed as soon as the condition of the State treasury may permit.

3. Major J. W. Todd, ordnance department United States army, chief of ordnance, fifth military district, will proceed to New Orleans without delay, upon business connected with his department, and will return to Baton Rouge, Louisiana, upon the completion of said duty.

4. Leave of absence for 20 days, with recommendation to the Adjutant General of the army for an extension of 10 days, is hereby granted to First Lieutenant Eugene W. Sheibner, 33d infantry.

5. The quartermasters' department will furnish transportation to the widow and child of Private William Phillips, 17th infantry, (who died of yellow fever in Texas,) from Hempstead, Texas, to New York city.

6. Upon the application of the governor of the State, and subject to the approval of the Secretary of War, the chief quartermaster, fifth military district, will issue to the warden of the Louisiana State penitentiary,

at Baton Rouge, 180 pairs of shoes (such as are furnished for soldiers) for the use of the prisoners at that place, the cost of said shoes to be charged against the State, and to be reimbursed as soon as the condition of the State treasury may permit.

7. A board of officers is hereby appointed, to meet in this city, at the office of the chief quartermaster, fifth military district, on Friday, the 7th day of February, 1868, at 9 o'clock a. m., or as soon thereafter as practicable, for the purpose of fixing the responsibility for the damage of certain public property shipped from this city to Brazos Santiago, Texas, per steamship Tartar, in September, 1867, said ship having been stranded near Brazos, and the damage to the cargo occurring thereby.

Detail for the board: Brevet Brigadier General W. W. Lowe, major 6th cavalry; Brevet Colonel R. N. Batchelder, quartermaster United States army; Captain A. E. Hooker, 9th cavalry.

By command of Major General Hancock:

GEORGE L. HARTSUFF,  
*Assistant Adjutant General.*

Official:

NATHANIEL BURBANK,  
*Second Lieut. 37th Inf., Bvt. First Lieut. U. S. A., A. A. A. G.*

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[Special Orders No. 202.]

HEADQUARTERS FIFTH MILITARY DISTRICT,  
*New Orleans, Louisiana, December 4, 1867.*

1. So much of paragraph 7, Special Orders No. 201, current series, from these headquarters, as directs Brevet Major General Joseph A. Mower, colonel 39th United States infantry, to join the headquarters of his regiment at Greenville, Louisiana, is hereby suspended. General Mower will remain in this city awaiting further orders.

2. Paragraph 3 of Special Orders No. 188, from these headquarters, dated November 16, 1867, issued by Brevet Major General Mower, removing P. R. O'Rourke, clerk of second district court, parish of Orleans, for malfeasance in office, and appointing R. L. Shelby in his stead, is hereby revoked, and P. R. O'Rourke is reinstated in said office.

If any charges are set up against the said O'Rourke, the judicial department of the government is sufficient to take whatever action may be necessary in the premises.

3. It having been satisfactorily proven that there is the most urgent necessity for building levees on the plantations of Sappy and Fairey, in the parish of St. Charles, and of the Sauve plantation, in the parish of Jefferson, Louisiana, left bank of the river, and that the police juries, as well as the planters of said parishes, have neglected to take the necessary steps to have said work performed; it is ordered, that the making of said levees be adjudicated, according to plans and specifications submitted by J. J. Conway, surveyor, on file at these headquarters, to the lowest bidder, by Brevet Lieutenant Colonel A. J. McGonnigle, assistant quartermaster, on Tuesday, the 10th of December, instant, at 12 m., at his office, the bid to be so much per cubic yard, and the work to be completed in time and manner to furnish protection from overflow, and that the lands, with the improvements thereon, be subject to a special lien and privilege for the costs of making said levees on them.



respectively, and that the ordinary formalities prescribed by law for the adjudication of said work be dispensed with.

By command of Major General Hancock :

W. G. MITCHELL,  
*Brevet Lieut. Col., A. A. A. G.*

Official :

NATHANIEL BURBANK,  
*Second Lieut. 37th Inf., Bvt. First Lieut. U. S. A., A. A. A. G.*

[Special Orders No. 203.—Extract.]

HEADQUARTERS FIFTH MILITARY DISTRICT,  
*New Orleans, Louisiana, December 5, 1867.*

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2. The true and proper use of military power, besides defending the national honor against foreign nations, is to uphold the laws and civil government, and to secure to every person residing among us the enjoyment of life, liberty, and property. It is accordingly made, by act of Congress, the duty of the commander of this district to protect all persons in those rights, to suppress disorder and violence, and to punish, or cause to be punished, all disturbers of the public peace and criminals.

The commanding general has been officially informed that the administration of justice, and especially of criminal justice in the courts, is clogged, if not entirely frustrated, by the enforcement of paragraph No. 2 of the military orders numbered Special Orders No. 125, current series, from these headquarters, issued on the 24th of August, A. D. 1867, relative to the qualifications of persons to be placed on the jury lists of the State of Louisiana.

To determine who shall and who shall not be jurors appertains to the legislative power; and until the laws in existence regulating this subject shall be amended or changed by that department of the civil government, which the constitutions of all the States under our republican system vest with that power, it is deemed best to carry out the will of the people as expressed in the last legislative act upon this subject.

The qualification of a juror, under the law, is a proper subject for the decision of the courts. The commanding general, in the discharge of the trust reposed in him, will maintain the just power of the judiciary, and is unwilling to permit the civil authorities and laws to be embarrassed by military interference; and as it is an established fact that the administration of justice in the ordinary tribunals is greatly embarrassed by the operations of paragraph No. 2, Special Orders No. 125, current series, from these headquarters, it is ordered that said paragraph, which relates to the qualifications of persons to be placed on the jury lists of the State of Louisiana, be, and the same is hereby, revoked, and that the trial by jury be henceforth regulated and controlled by the Constitution and civil laws, without regard to any military orders heretofore issued from these headquarters.

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By command of Major General Hancock :

W. G. MITCHELL,  
*Brevet Lieut. Col., A. A. A. G.*

Official :

NATHANIEL BURBANK,  
*Second Lieut. 37th Inf., Bvt. 1st Lieut. U. S. A., A. A. A. G.*

[Special Orders No. 213.]

HEADQUARTERS FIFTH MILITARY DISTRICT,  
*New Orleans, Louisiana, December 18, 1867.*

I. In compliance with the supplementary act of Congress of March 23, 1867, notice is hereby given that an election will be held in the State of Texas on the 10th, 11th, 12th, 13th, and 14th days of February, 1868, to determine whether a convention shall be held, and for delegates thereto, "to form a constitution" for the State under said act.

II. The convention will be composed of ninety members, that being the number of the most numerous branch of the State legislature in the year 1860. The total number of registered voters in the State is 104,259, which, being divided by the number of delegates, gives 1,158 as the number of voters entitled to one delegate.

III. Commencing 14 days before the election, viz.: on Monday, the 27th day of January, 1868, boards of registrars will, after having given reasonable public notice, revise at the county seats for a period of five consecutive days the registration lists, and upon being satisfied that any person not entitled thereto has been registered, will strike the name of such person from the list. The boards will also, during the same period, add to the registry the names of all persons who at that time possess the qualifications required by law, and who have not already been registered. (See sec. 7, supplementary act of July 19, 1867.)

IV. To secure as nearly as practicable an equitable representation in the convention, the delegates are apportioned among the several counties as follows: This being as nearly as possible in accordance with the apportionment of 1860.

The counties of Bowie, Davis, and Marion shall elect three.

The county of Red River shall elect one.

The county of Titus shall elect one.

The counties of Red River and Titus together shall elect one.

The county of Lamar shall elect one.

The county of Hopkins shall elect one.

The counties of Lamar and Hopkins together shall elect one.

The counties of Fannin and Hunt shall elect two.

The counties of Grayson, Cooke, Montague, Jack, Wise, Young, Clay, Wichita, Archer, Wilbarger, Baylor, Throckmorton, Knox, Hardeman, Haskell, and Greer shall elect two.

The counties of Collin and Denton shall elect two.

The counties of Kaufman and Van Zandt shall elect one.

The counties of Upshur and Wood shall elect two.

The counties of Harrison and Panola shall elect four.

The county of Rusk shall elect two.

The county of Smith shall elect two.

The county of Dallas shall elect one.

The counties of Ellis, Tarrant, Parker, Palo Pinto, Stephens, Jones, and Shackelford shall elect two.

The counties of Erath, Johnson, and Hood shall elect one.

The counties of Henderson and Anderson shall elect two.

The counties of Houston and Trinity shall elect two.

The counties of Cherokee and Angelina shall elect two.

The county of Nacogdoches shall elect one.

The counties of Shelby, San Augustine, Sabine, and Newton shall elect two.

The counties of Jasper, Hardin, Jefferson, and Orange shall elect one.

The counties of Tyler, Liberty, and Chambers shall elect one.

- The county of Polk shall elect one.
- The county of Galveston shall elect one.
- The county of Harris shall elect two.
- The counties of Harris and Galveston together shall elect one.
- The county of Brazoria shall elect one.
- The county of Fort Bend shall elect one.
- The counties of Matagorda and Wharton shall elect one.
- The counties of Brazoria, Fort Bend, Matagorda, and Wharton shall elect one.
- The counties of Grimes, Walker, and Madison shall elect three.
- The county of Montgomery shall elect one.
- The county of Leon shall elect one.
- The county of Brazos shall elect one.
- The county of Robertson shall elect one.
- The county of Freestone shall elect one.
- The counties of Limestone, Navaro, and Hill shall elect two.
- The counties of McLennan, Falls, and Bell shall elect three.
- The counties of Coryell, Lampasas, Bosque, Comanche, and Hamilton shall elect one.
- The county of Milan shall elect one.
- The county of Burleson shall elect one.
- The county of Washington shall elect three.
- The county of Austin shall elect one.
- The county of Colorado shall elect one.
- The counties of Austin and Colorado together shall elect one.
- The county of Fayette shall elect one.
- The county of Bastrop shall elect one.
- The counties of Fayette and Bastrop together shall elect one.
- The counties of Travis and Caldwell shall elect two.
- The counties of Williamson and Burnet shall elect one.
- The counties of Kendall, Gillespie, Llano, San Saba, Mason, Brown, Menard, Coleman, McCulloch, Conches, Callahan, Eastland, Taylor, Runnels, and Kimble shall elect one.
- The counties of Comal, Hays, and Blanco shall elect one.
- The counties of Bexar, Wilson, Kerr, Bandera, Medina, Uvalde, Kinney, Maveric, Edwards, and Zavalla shall elect two.
- The county of Guadalupe shall elect one.
- The county of Gonzales shall elect one.
- The county of Lavaca shall elect one.
- The counties of De Witt, Victoria, Jackson, and Calhoun shall elect two.
- The counties of Bee, Goliad, Karnes, and Atascosa shall elect one.
- The counties of Refugio, San Patricio, Nueces, Cameron, Hidalgo, Starr, Webb, Live Oak, Duval, Zapata, McMullen, Frio, La Salle, Dimmitt, and Encinal shall elect one.
- The counties of El Paso and Residio shall elect one.

V. No election will be held in counties not organized, nor in which no registration was made, but the registered voters residing in such counties will vote in the county by whose board they were registered.

The election will be held only at the county seats. No person will be allowed to vote whose name does not appear on the registry list. The election will be by ballot. "Those voting in favor of a convention shall have written or printed on the ballots by which they vote for delegates as aforesaid, the words 'for a convention,' and those voting against a convention shall have written or printed on such ballots the words 'against a convention.'" Each ballot presented by a colored voter will

be marked "colored" by one of the judges of election. The five days before specified, and those only, will be given for voting, and the polls will be kept open each day from sunrise to sunset, adjourning from 12 m. till 1 p. m. Poll-books will be kept of the names of the voters as at ordinary elections in the States. As each voter presents his certificate one of the judges will endorse on it the number opposite his name on the poll-list kept by them.

VI. The boards of registration of each county will be superintendents of and will conduct the election, and will see that all the necessary preparations are made for properly conducting it; that due and sufficient notice is given of the time and object of the election, proper ballot-boxes are prepared, &c.

If from any cause any of the registrars of a county fail to perform the duty incumbent on them, either at the revision directed in paragraph III or at the election, their places will be filled by the county judge, clerk of the county court, or clerk of the district court in the order named, providing they can qualify according to law. If vacancies cannot be thus filled, the remaining portion of the registration board will fill them with persons who can duly qualify.

The boards of registrars take the place of the presiding officer and judges at ordinary elections, and they will select, to aid them in keeping the poll-lists, two clerks who shall be sworn in the same manner as registrars.

At the close of the election the board of registrars will carefully count and make duplicate returns of the result of the election. Stating, also, in four separate lists, respectively, the number of white voters for, the number of colored voters for, and the number of each, against a convention.

The ballots will then be replaced in the ballot-boxes, which will be sealed and together with the registration and election records will be turned over to such county officer or member of the registration board as said board may select, who will receipt therefor and will be held responsible for the same. Each member of the board will make affidavit to the correctness of the returns, one copy of which will then be brought by some member of the board to the commanding general of the fifth military district, at New Orleans. The other copy will be retained by the board until further orders.

VII. The boards of registrars will see that a full and fair opportunity is given for depositing his ballot to every man entitled to vote, and will generally do everything that is requisite to secure a full and impartial expression of the opinions and wishes of the registered voters.

VIII. All places where intoxicating liquors are retailed will be closed on the day of the election, and such sale of liquors is prohibited during said election days.

IX. Military interference in the elections, "unless it shall be necessary to keep the peace at the polls," is prohibited by law, and no soldiers will be allowed to appear at any polling place, unless, as citizens of the State, they are registered as voters, and then only for the purpose of voting; but the commanders of the posts will be prepared to act promptly if the civil authorities fail to preserve the peace.

X. The sheriff and other peace officers of each county, are required to be present during the whole time the polls are kept open, and until the election is completed, and will be made responsible that there shall be no interference with judges of election, or other interruption of good order. As an additional measure to secure the purity of the election, each registrar or clerk is hereby clothed, during the election, with author-

ity to call upon the civil officers of the county to make arrests, and in case of failure of the aforesaid civil officers, are empowered to perform their duties during the election. They will make full report of such failures on the part of the civil officers to the commanding general fifth military district, through the headquarters district of Texas, for orders in each case.

XI. When the returns shall have been received at the headquarters of the fifth military district the result of the election will be published by the commander thereof, and if a majority of the votes, according to the laws of Congress, have been in favor of a convention, the names of the delegates elected will be officially announced, and the convention called together.

XII. Persons who convey returns to the headquarters of the fifth military district will be paid, at New Orleans, reasonable expenses incurred in making the journey and returning.

2. First Lieutenant Wm. H. Hick, and First Lieutenant Justinian Alman, of companies E and I, 4th United States cavalry, stationed at Jefferson, Texas, and at Monroe, Louisiana, are hereby relieved from duty with the detachment of recruits now in this city, en route to the headquarters of their regiment, in Texas, and will join their respective companies without delay.

3. Leave of absence for thirty days is hereby granted to Captain Thomas H. Reeves, 39th United States infantry, with permission to visit Jonesboro', Tennessee, waiting the decision of the War Department upon his application to be ordered before a retiring board.

By command of Major General Hancock:

GEO. L. HARTSUFF,  
*Assistant Adjutant General.*

Official:

NATHANIEL BURBANK,  
*Second Lieut. 37th infantry, Bvt. 1st Lieut. U. S. Army,*  
*Acting Assistant Adjutant General.*

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[General Orders No. 1.]

HEADQUARTERS FIFTH MILITARY DISTRICT,  
*New Orleans, Louisiana, January 1, 1868.*

Applications have been made at these headquarters implying the existence of an arbitrary authority in the commanding general touching purely civil controversies.

One petitioner solicits this action, another that, and each refers to some special consideration of grace or favor, which he supposed to exist, and which should influence this department. The number of such applications, and the waste of time they involve, make it necessary to declare that the administration of civil justice appertains to the regular courts. The rights of litigants do not depend on the views of the general; they are to be adjusted and settled according to the laws. Arbitrary power, such as he has been urged to assume, has no existence here. It is not found in the laws of Louisiana or of Texas; it cannot be derived from any act or acts of Congress; it is restrained by a constitution, and prohibited from action in many particulars.

The major general commanding takes occasion to repeat that while

disclaiming judicial functions in civil cases, he can suffer no forcible resistance to the execution of process of the courts.

By command of Major General Hancock :

GEO. L. HARTSUFF,  
*Assistant Adjutant General.*

Official :

B. CHANDLER,  
*Captain 13th Infantry, Acting Assistant Adjutant General.*

[Special Orders No. 1.—Extract.]

HEADQUARTERS FIFTH MILITARY DISTRICT,  
*New Orleans, Louisiana, January 2, 1868.*

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8. His excellency B. F. Flanders, governor of the State of Louisiana, having resigned that office, Mr. Joshua Baker is hereby appointed to fill the vacancy occasioned thereby.

By command of Major General Hancock :

GEO. L. HARTSUFF,  
*Assistant Adjutant General.*

Official :

B. CHANDLER,  
*Captain 13th Infantry.*

[Special Orders No. 3.]

HEADQUARTERS FIFTH MILITARY DISTRICT,  
*New Orleans, Louisiana, January 11, 1868.*

Printed “memoranda of disqualifications for the guidance of the boards of registrars, under the military bill passed March 2, 1867, and the bill supplementary thereto,” and “questions to be answered by persons proposing to register,” were distributed from these headquarters in the month of May, 1867, to the members of the boards of registration then in existence, in the States of Louisiana and Texas, for the registration of “the male citizens of the United States” who are qualified to vote for delegates under the act entitled “An act to provide for the more efficient government of the rebel States.”

These “memoranda” and “questions” are as follows :

*Memoranda of disqualifications for the guidance of the boards of registrars, under the military bill passed March 2, 1867, and the bill supplementary thereto.*

- I. Every person who has acted as United States senator or representative.
- II. All who have acted as electors of President or Vice-President.
- III. Every person who held any position in the army or navy of the United States.
- IV. All persons who held any position under the United States in which they were required to take an oath before they entered upon the duties of office ; such as officers in the custom-house, post office, mint, judges, and all officers of the United States court, United States marshals and deputies.
- V. All who have been governor of the State, State senator or representative, secretary of the treasury, and all officers provided for in the constitutions of the State made in 1845 and 1852, including judges of courts, justices of peace, clerks of courts and deputies, sheriff's deputies, constables and deputies, tax collectors, assessors, coroners, police jurors, auc-

tioners, pilots, harbor masters, recorders of conveyances and mortgages, parish recorders, notaries public, and all commissioned officers in the State militia. Every person who has acted as mayor of the city, treasurer, comptroller, recorder, alderman, assistant alderman, assessor, tax collector, administrator of the charity hospital, a member of the board of health, a commissioner of elections and his clerks, chief of police, lieutenant of police, and all who have served on the police force, wardens and under-wardens of the parish prison and work-house, board of school directors, city surgeons and deputies, street commissioner and deputies, city attorney and assistant attorney, superintendent of public schools, inspectors of tobacco, flour, beef, and pork, and weights and measures, managers of the asylum for the deaf and dumb and blind, and sextons of cemeteries. All who, in 1862 and 1864, registered themselves as aliens, or who obtained protection papers from the representatives of foreign powers. Any person who, at any time, held any of the above offices, and who afterwards engaged in the rebellion against the United States, or gave aid and comfort to the enemies thereof, is disqualified from voting.

*Questions to be answered by persons proposing to register.*

I. Have you been United States senator, representative, or elector of President or Vice-President at any time before January 26, 1861?

II. Did you hold any office under the United States government, of any kind whatsoever, before January 26, 1861?

III. Did you hold any office under the government of this State, of any kind whatsoever, to which you were elected or appointed, prior to January 26, 1861?

IV. Did you hold any office under the city government, of any kind whatsoever, to which you were elected or appointed, prior to January 26, 1861?

V. Did you, in 1862 or 1864, register yourself as an alien, or did you obtain protection papers from the representatives of any foreign power?

In case any of the preceding questions are answered "yes," or should you know they ought to be so answered, it would be proper to ask the following:

VI. Were you in the confederate service, military, naval, or civil, or did you give aid and comfort to those engaged in hostility to the United States?

If answered "yes," or if you know it to be so, they must not be registered.

Grave differences of opinion exist among the best informed and most conscientious citizens of the United States, and the highest functionaries of the national government, as to the proper construction to be given to the acts of Congress prescribing the qualifications entitling persons to be registered as voters, and to exercise the right of suffrage at the elections to be holden under the act entitled "An act to provide for the more efficient government of the rebel States," and the acts supplementary thereto. Such differences of opinion are necessary incidents to the imperfection of human language when employed in the work of legislation.

Upon examining those acts the commanding general finds himself constrained to dissent from the construction given to them in the "memoranda" referred to. This construction would of course necessarily exclude all officers holding offices created under special acts of the State legislatures, including all officers of municipal corporations, and of institutions organized for the dispensation of charity, under the authority of such special laws. Such a construction, in the opinion of the major general commanding, has no support in the language of the acts of Congress passed on the 2d and the 23d of March, 1867, which were the only acts in existence when these "memoranda" were distributed. Since that time, however, what was before, in the opinion of the commanding general, only an error of construction, would now be a contravention of the law, as amended and defined in the act of July 19, 1867. The major general commanding also dissents from various other points in the construction given to the disqualifying clauses of the acts in question, as shown by the "memoranda" referred to, but he will add nothing further to what he has already said on the subject, because his individual opinions cannot rightfully have and ought not to have any influence upon the boards of registration in the discharge of the duties expressly imposed on and intrusted to them by these acts of Congress as they now stand. The boards of registration are bodies created by law within certain limited

but well-defined judicial powers. It is made their especial duty "to ascertain, upon such facts as they can obtain, whether any person applying is entitled to be registered under the acts. Their decisions upon the cases of individual applicants are final as to the right, unless appeals are taken in the proper form and carried before competent superior authority for revision; and, like the members of ordinary courts engaged in the exercise of judicial functions, it is the bounden duty of the members of the boards of registration to decide upon the questions as to the right of any applicant, on the facts before them, and in obedience to the provisions of the law.

Since the passage of the act of July 19, 1867, it is not only the right but the solemn duty of the members of these boards, each for himself, and under the sanction of his oath of office, to interpret the provisions of the acts from which the authority of the boards was derived, and to decide upon each case according to the best of his own judgment.

The distribution of the above "memoranda" was well calculated to produce the impressions in the minds of the members of boards of registration that they constituted rules prescribed to them for their government in the discharge of their official duties which they were required to obey; and it seems certain, from various communications of facts in relation to the mode of carrying out the registration, that they were so regarded by the members of the boards, and that they not only influenced, but in point of fact controlled the proceedings of the different boards.

In consequence of this, and as the time for the revision of the registration in the State of Texas is now at hand, and the duty of making the revision will, it is probable, in a great degree be performed by persons who are members of the boards of registration to which the "memoranda" in question were distributed for their guidance, the major general commanding deems it of importance that the members of the boards of registration and the people at large should be informed that the "memoranda" before referred to, distributed from the headquarters of this military district, are null and of no effect, and are not now to be regarded by the boards of registration in making their decisions; and that the members of the boards are to look to the laws, and to the laws alone, for the rules which are to govern them in the discharge of the delicate and important duty imposed upon them. For this purpose they will be furnished with copies of the acts of Congress relating to this subject, and of the amendment (known as Article XIV) to the Constitution of the United States.

In case of questions arising as to the right of any individual to be registered, the person deeming himself aggrieved is entitled to his appeal from the decision of the board, and the boards are directed to make a full statement of the facts in such cases, and to forward the same to these headquarters without unnecessary delay.

By command of Major General Hancock:

GEO. L. HARTSUFF,  
*Assistant Adjutant General.*

Official:

B. CHANDLER,  
*Captain 13th Infantry, A. A. A. G.*



[Special Orders No. 26.—Extract.]

HEADQUARTERS FIFTH MILITARY DISTRICT,  
*New Orleans, Louisiana, February 5, 1868.*

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4. The investigation ordered by these headquarters, December 20, 1867, in the matter of the charges of malfeasance in office, preferred against William Baker, street commissioner of the city of New Orleans, will at once terminate. The district attorney of the parish of Orleans is hereby directed to take charge of this matter, and take such action as may be proper and necessary against the party, proceeding therein by due course of law.

William Baker, street commissioner for the city of New Orleans, (military appointment,) is removed from office, and George D. Field is appointed in his place.

Upon accepting this appointment, Mr. Field will forward to this office a copy of the oath prescribed by law.

\* \* \* \* \*

By command of Major General Hancock:

GEORGE L. HARTSUFF,  
*Assistant Adjutant General.*

Official:

NATHANIEL BURBANK,  
*Second Lieut. 37th Inf'y, Bvt. First Lieut. U. S. A.,  
 Acting Assistant Adjutant General.*

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[Special Orders No. 28.—Extract.]

HEADQUARTERS FIFTH MILITARY DISTRICT,  
*New Orleans, Louisiana, February 7, 1868.*

\* \* \* \* \*

4. For proceeding to hold an election for recorder of the second district, city of New Orleans, in contempt of orders from these headquarters, the following members of the boards of aldermen and assistant aldermen of the city of New Orleans, who voted for the resolution, (military appointments,) are hereby removed, viz:

James Graham, F. E. Dumas, John R. Clay, of the board of aldermen, and

A. Maug, S. Thesan, O. J. Dunn, S. Straight, B. F. Joubert, C. S. Sauvinet, of the board of assistant aldermen.

J. N. Lea, Robert J. Watson, Guy Duplantier, are hereby appointed members of the board of aldermen, and

Williamson Smith, George Urquhart, J. H. Moore, P. H. Morgan, Charles Leamont, J. S. Whittaker, appointed members of the board of assistant aldermen.

J. H. Oglesby, is appointed a member of the board of assistant aldermen, in place of C. L. Gumbel, resigned.

Upon accepting these appointments, the above-named persons will transmit to these headquarters a copy of the oath prescribed by law.

\* \* \* \* \*

By command of Major General Hancock:

GEORGE L. HARTSUFF,  
*Assistant Adjutant General.*

Official:

NATHANIEL BURBANK,  
*Second Lieut. 37th Inf'y, Bvt. First Lieut. U. S. A.,  
 Acting Assistant Adjutant General.*

*Correspondence between General Grant and Major General Hancock, relative to the removal of members of the city council, New Orleans.*

\* \* \* \* \*

HEADQUARTERS FIFTH MILITARY DISTRICT,  
*New Orleans, February 27, 1868.*

GENERAL: I have the honor to transmit herewith, copies of my correspondence with the General-in-chief, in reference to my recent action concerning the removal from office of certain aldermen and assistant aldermen of the council of the city of New Orleans, made by me, "for contempt of the orders of the district commander." I request that the same may, in the appropriate manner, as explanatory of my action and for his information, be laid before his Excellency the President of the United States, with this, my request, to be relieved from the command of this military district, where it is no longer useful or agreeable for me to serve.

When relieved, should the exigencies of the service permit, it would be most in accordance with my inclinations, to be sent to St. Louis, Missouri, there to await further orders.

I am, very respectfully, your obedient servant,

W. S. HANCOCK.  
*Major General U. S. Army.*

Brevet Major General L. THOMAS,  
*Adjutant General U. S. A., Washington, D. C.*

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[New Orleans Republican.]

*City council—Official. Board of assistant aldermen—Regular meeting.*

CITY HALL, NEW ORLEANS, *February 4, 1868.*

The board met in regular session.

Present: Messrs. Sterry, Sampson, Perkins, Maug, Davies, Thezan, Dunn, Straight, Sauvinet, and Joubert.

On motion of Mr. Straight, Mr. Sauvinet was elected president *pro tempore*. The reading of the minutes of the previous meeting was, on motion of Assistant Alderman Perkins, dispensed with.

*Communications from city officers.*

The following communications from the mayor, and accompanying documents from headquarters fifth military district, were received:

MAYORALTY OF NEW ORLEANS,  
*City Hall, January 27, 1868.*

GENTLEMEN: I transmit herewith a communication from Major General W. S. Hancock, commanding the fifth military district, in reference to the proposed election by the honorable council of a recorder of the second district of the city.

Very respectfully,

E. HEATH, *Mayor.*

The Hon. the BOARD OF ASSISTANT ALDERMEN.

HEADQUARTERS FIFTH MILITARY DISTRICT,  
*Office Sec. Civil Affairs, New Orleans, La., January 25, 1868.*

SIR: The attention of the major general commanding having been called to a resolution of the board of assistant aldermen of the city of

New Orleans, adopted on the 21st instant, relative to an election of recorder of the second district, I am directed by him to invite your attention to the provisions contained in the first and second sections of the supplementary reconstruction act of Congress, passed July 19, 1867, and to paragraph 2 of Special Orders No. 7, from these headquarters, dated March 28, 1867, copies of which are herewith enclosed.

Very respectfully, your obedient servant,

R. CHANDLER,

*Captain 13th Infantry, Assistant Secretary Civil Affairs.*

Mayor E. HEATH,

*New Orleans, Louisiana.*

AN ACT supplementary to an act entitled "An act to provide for the more efficient government of the rebel States," passed on the 2d day of March, 1867, and the act supplementary thereto, passed on the 23d day of March, 1867.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it is hereby declared to have been the true intent and meaning of the act of the 2d day of March, 1867, entitled "An act to provide for the more efficient government of the rebel States," and of the act supplementary thereto, passed on the 23d day of March, in the year 1867, that the governments then existing in the rebel States of Virginia, North Carolina, South Carolina, Georgia, Mississippi, Alabama, Louisiana, Florida, Texas, and Arkansas, were not legal State governments; and that thereafter said governments, if continued, were to be continued subject in all respects to the military commanders of the respective districts, and to the paramount authority of Congress.

SEC. 2. *And be it further enacted,* That the commander of any district named in said act shall have power, subject to the disapproval of the General of the army of the United States, and to have effect till disapproved, whenever in the opinion of such commander the proper administration of said act shall require it, to suspend or remove from office or from the performance of official duties and the exercise of official powers, any officer or person holding or exercising, or professing to hold or exercise, any civil or military office, or duty in such district, under any power, election, appointment, or authority derived from or granted by, or claimed under any so-called State or the government thereof, or any municipal or other division thereof, and upon such suspension or removal such commander, subject to the disapproval of the General as aforesaid, shall have power to provide from time to time for the performance of the said duties of such officer or person so suspended or removed by the detail of some competent officer or soldier of the army, or by the appointment of some other person to perform the same, and to fill vacancies occasioned by death, resignation, or otherwise.

[Special Orders No. 7.]

HEADQUARTERS FIFTH MILITARY DISTRICT,  
*New Orleans, Louisiana, March 28, 1867.*

2. It is hereby announced, for the information and guidance of all concerned, that no elections for State, parish, municipal, or judicial offices, will be held in the State of Louisiana until the provisions of the laws of Congress, entitled "An act to provide for the more efficient government

of the rebel States," and of the act supplemental thereto, shall have been complied with, until elections are held in accordance with those acts, the law of the legislature of the State of Louisiana, approved March 15, 1867, which provides for the continuance in the performance of their duties of those persons whose term of office would otherwise have expired, will govern all cases except those which may be specially acted upon at these headquarters.

By command of Major General P. F. Sheridan:

GEORGE L. HARTSUFF,

*Assistant Adjutant General.*

The board of aldermen entered, and the council went into joint session.

Assistant Alderman Joubert explained the object of the session, the election of a recorder for the second district, and spoke earnestly in favor of pressing the said election. He submitted for the information of the board the decree of the supreme court of the State of Louisiana, wherein the present incumbent is forbidden to perform the duties and functions of the office and the council notified to elect a recorder. The gentleman then referred to the first order of General Hancock, commanding the fifth military district, in which he declares that civil law shall rule, with certain restrictions, and believes that the said order was authority in itself for entering into an election.

He therefore moved that the council proceed immediately to elect a recorder for the second district.

Mr. Joubert was followed by Messrs. Perkins, Dewees, Stapleton, Sampson, Sterry, Davies, and Burbank, all of whom opposed hasty legislation in the premises. Mr. Perkins was of opinion that the letter of General Hancock amounted to an order.

Mr. Davies referred to an act of the legislature which retains in office the incumbent.

Mr. Dewees thought that a committee should be appointed to wait upon the general commanding, and explain to him that Mr. Gastinel was still acting recorder, notwithstanding the decree of the supreme court, and that his acts were in consequence illegal.

Mr. Sauvinet vacated the chair, obtained the floor, and gave his opinion at length in support of the motion of Assistant Alderman Joubert. He concluded his remarks by urging immediate action.

Mr. Graham coincided with the views of Messrs. Sauvinet and Joubert, and expressed himself in favor of immediate action.

Mr. Burbank moved to postpone action on the whole subject-matter.

Lost by the following vote:

*Yeas.*—Messrs. Burbank, Dewees, and Stapleton, of the board of aldermen, and Messrs. Sterry, Sampson, Perkins, and Davies, of the board of assistant aldermen.

*Nays.*—Messrs. Graham, Dumas, and Clay, of the board of aldermen, and Messrs. Mary, Thezan, Dunn, Straight, and Joubert, of the board of assistant aldermen.

The original motion was then put.

On calling the roll of the board of assistant aldermen, it was ascertained that there was no quorum, two of the honorable members of that body having left the room.

On motion of Mr. Dewees, the board of aldermen retired.

[Special Orders No. 28.]

HEADQUARTERS FIFTH MILITARY DISTRICT,  
*New Orleans, Louisiana, February 7, 1868.*

4. For proceeding to hold an election for recorder of the second district, city of New Orleans, in contempt of orders from these headquarters, the following members of the board of aldermen and assistant aldermen of the city of New Orleans, who voted for the resolution, (military appointments,) are hereby removed, viz:

James Graham, F. E. Dumas, Jno. R. Clay, of the board of aldermen, and A. Mary, S. Thezan, O. J. Dunn, S. Straight, B. F. Joubert, C. S. Sauvinet, of the board of assistant aldermen.

J. N. Lea, Robert J. Watson, Guy Duplantier, are hereby appointed members of the board of aldermen, and

Williamson Smith, Geo. Urquhart, J. H. Moore, P. H. Morgan, Chas. Leaumont, J. S. Whittaker, appointed members of the board of assistant aldermen.

J. H. Oglesby is appointed a member of the board of assistant aldermen, in place of C. L. Gumbel, resigned.

Upon accepting these appointments, the above-named persons will transmit to these headquarters a copy of the oath prescribed by law.

By command of Major General Hancock:

GEORGE L. HARTSUFF,  
*Assistant Adjutant General.*

[Telegram sent February 7, 1868.]

HEADQUARTERS FIFTH MILITARY DISTRICT,  
*New Orleans, Louisiana, February 7, 1868.*

Gen. U. S. GRANT, *Washington, D. C.:*

I have removed nine members of the city council, two white and seven colored, for contempt of the orders of the military commander, in proceeding to an election for a recorder for the second district, and which is an elective office (under the law) by the people and not by the council.

The attempt to hold the election was made while I was absent in Texas, but the council was referred to General Sheridan's order forbidding election, until reconstruction was completed, without the authority of the commanding general; nevertheless these members voted for an immediate election, and the project was carried; the election was about to be completed, when one or two members, more timid than these, left, and broke the quorum.

A case in point is the order of General Mower—Special Orders 162, of October 15, 1867—removing the Jefferson city council for a like offence.

My action in this matter was in accordance with the power granted by the reconstruction act, which allows the district commander to suspend, or remove persons from office, and to provide from time to time for the performance of the duties of persons removed by appointments, &c.

W. S. HANCOCK,  
*Major General, United States Army.*

[Special Orders No. 162.]

HEADQUARTERS FIFTH MILITARY DISTRICT,  
New Orleans, October 15, 1867.

5. For passing an ordinance for the election of city officers in direct violation of Special Orders No. 7, current series, from these headquarters, the members of the present board of aldermen of the city of Jefferson, Louisiana, are hereby removed, and the following named persons appointed to fill the vacancies :

First ward, John Moylan, F. B. Stamps.

Second ward, Frederic Frye, Benjamin Campbell.

Third ward, John Page, J. B. E. Laiche.

Fourth ward, Ursin Lavigne, J. H. A. Roberts.

Fifth ward, S. M. Burbank.

By command of Brevet Major General Joseph A. Mower :

GEORGE L. HARTSUFF,  
Assistant Adjutant General.

[Telegram received February 8, 1868.]

WASHINGTON, D. C., February 8, 1868.

Major General W. S. HANCOCK, *Commanding* :

Suspend your order removing city council of New Orleans until full report of reasons is sent. Answer by mail.

U. S. GRANT, *General*.

[Telegram sent February 9, 1868.]

HEADQUARTERS FIFTH MILITARY DISTRICT,  
New Orleans, February 9, 1868.—Sunday, 2.30 p. m.

General U. S. GRANT,

*Commanding army of the United States, Washington, D. C. :*

Your despatch of February 8, directing me to suspend my special orders removing certain members of the city council of New Orleans until a full report of reasons therefor should be sent to you, was received about 10 a. m. to-day. I request that you may reconsider your action, and that my order in the premises be not suspended until you have the full report of the reasons called for by you. I telegraphed you at the moment the order was issued, giving as full a statement of my reasons for action as I believed could be made. I referred you to the orders of General Sheridan forbidding elections, which you have on file at your headquarters, and stated that the city council had been previously notified of this order by me. I also referred you to an order of General Mower, issued in October last, which sets forth a parallel case, and which you have on file. In that case an appeal was taken to you for a reinstatement of the council removed by General Mower, which appeal you have not sustained. The present case was in defiance of that example of General Sheridan's orders and of my own letters cautioning the council to desist

in this election, and forwarded to you (printed copy) January 26. It was illegal under the law by which they claimed to act. I was astonished at this action of the council, and could not account for it except in the fact that they had been instigated to it by designing men, who believed, if I dared to make those removals, that it would end in my own removal from this place, and that they would be protected. At any rate my self-respect as commander of this district made it absolutely necessary that I should take summary measures, regardless of consequences with which partisans might threaten me.

I do not know what fuller report could be furnished in this case, for all the papers explaining my action have been sent to you.

To suspend my order would be to destroy my usefulness here; and in such case a sense of what I consider due to me and my position in this matter would necessitate a respectful request to be relieved from my present command. Although I have been here seventy days, this is the second occasion I have taken on my own responsibility to make a removal, the first one two days previous to this, both for grave reasons reported to you in detail by telegraph; and while I fully recognize the power of the General-in-chief to disapprove my action, I respectfully request that, as I have acted upon a full knowledge of the facts, the General-in-chief may delay his action until he can inform me what further papers or information he may desire in addition to what has been furnished, for a full understanding of the case under consideration.

My action in the premises was originally based upon the first and second sections of the supplementary reconstruction act of July 19, 1867.

I wait your reply before issuing the order directed.

W. S. HANCOCK,  
*Major General United States Army, Commanding.*

[Telegram received February 11, 1868.]

WASHINGTON, D. C., *February 11, 1868.*

Major General W. S. HANCOCK, *Commanding:*

If your order removing city council has been executed, and new appointments are in, you need not suspend orders as directed.

U. S. GRANT, *General.*

[Telegram sent February 11, 1868.]

HEADQUARTERS FIFTH MILITARY DISTRICT,

*Office of Secretary Civil Affairs, New Orleans, February 11, 1868.*

General U. S. GRANT, *Washington, D. C.:*

The change in the city council was an accomplished fact when your despatch of the 9th of February was received. Several of the new appointees had ready filed copies of their oath of office. In my selection I have appointed the best men to office without regard to their political sentiments. All must take the required oath. The change will be of immense advantage to the city, as the poor, of which the city is principally composed, are dependent upon the public confidence.

W. S. HANCOCK,  
*Major General United States Army, Commanding.*

[Letter received February 27, 1868.]

HEADQUARTERS ARMY OF THE UNITED STATES,  
Washington, February 21, 1868.

GENERAL: Your report of date the 15th instant, in response to a telegram of the General commanding the army, dated the 8th instant, in the matter of the removal of certain aldermen and assistant aldermen of the city of New Orleans, for contempt of military orders, is received. In the same matter there has also been received a memorial from said aldermen and assistant aldermen.

From the report and memorial and your previous telegrams, the following facts appear:

The office of recorder of the city of New Orleans is elective by the people, but in case of a vacancy, it is made the duty by law of the boards of aldermen and assistant aldermen in joint meeting to elect, *viva voce*, a person to fill the vacancy. The office of recorder of the second district of New Orleans was, by the supreme court of Louisiana, adjudged vacant, and the city of New Orleans was ordered to be notified to proceed according to law to elect a recorder for said district, which judgment was made final January 20, 1868. In pursuance of this order of the court, the boards of aldermen and assistant aldermen met in joint session on the 4th day of February, 1868, to elect a recorder for said second district.

At this session was read a communication written by Captain Chandler, assistant secretary civil affairs, and purporting to be by your direction, inviting attention to the first and second sections of the supplementary reconstruction act of Congress, passed July 19, 1867, and to paragraph 2, Special Orders No. 7, from headquarters fifth military district, dated March 28, 1867. At the date of this communication, viz., January 25, 1868, and before any action of either branch of the council had been had relative to the election therein referred to, you were absent from the city of New Orleans, in the State of Texas. This communication did not in terms forbid the election, neither did the sections of the act to which it referred, except as it might be inferred from the second section, wherein the district commander is empowered under certain restrictions "to fill vacancies occasioned by death, resignation, or otherwise."

Section 9 of this act, as well as the original reconstruction act of March 2, 1867, recognizes the right of the State and municipal authorities to appoint and elect officers under certain restrictions and limitations; but the exercise of this right is subject to the authority of the district commander.

Subsequent to the issuing of Special Orders No. 7 referred to, and during the administration of Generals Sheridan and Mower, the city council of New Orleans did in some cases fill vacancies in corporation offices, under the provisions of section 24 of the city charter of New Orleans, in the same manner as is provided for filling a vacancy in the office of recorder.

And after you assumed command the office of city attorney was filled under the same authority and in the same manner. No exception was taken in any case by any of the district commanders to such action.

On assuming command of the district, you announced, in General Orders No. 40, of November 29, 1867, that it was your purpose to preserve peace and quiet in your command, and that, as a means to this great end, you regarded the "maintenance of the civil authorities in the faithful execution of the laws as the most efficient under existing cir-



cumstances." Also, that when the "civil authorities are ready and willing to perform their duties the military power should cease to lead, and the civil administration resume its natural and rightful dominion."

Under this statement of facts the city council of New Orleans might reasonably have presumed it to be their right and duty—especially so under the orders of the court and your order No. 40—to fill the vacancy in the office of recorder, as it appears they did from your report of this case, dated February 15, 1868. The same facts, too, in connection with the printed report of their proceedings, embraced in your report of February 15, 1868, preclude the presumption of any intended contempt of the military authority by the members of the city council.

The case of "Jefferson City council" is not deemed a parallel one, in this, that they had not their own unquestioned acts in similar cases, nor the order of the district commander, to justify them. There being no contempt of military authority intended by the boards of aldermen and assistant aldermen of the city of New Orleans, removed by Special Orders No. 28, headquarters fifth military district, dated February 7, 1868, and a proper administration of the reconstruction acts not requiring their removal, said special orders removing the aldermen and assistant aldermen therein named, and appointing others in their stead, is hereby disapproved and revoked, and the members of the boards of aldermen and assistant aldermen removed by it are hereby reinstated, and will resume their duties as aldermen and assistant aldermen of the city of New Orleans, the same as if said order had not been issued.

You will please carry this order into effect.

By command of General Grant:

JOHN A. RAWLINS,

*Brevet Major General and Chief of Staff.*

Major General W. S. HANCOCK,

*Commanding Fifth Military District.*

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[Telegram sent February 27, 1868.]

HEADQUARTERS FIFTH MILITARY DISTRICT,  
*New Orleans, Louisiana, February 27, 1868.*

Gen. U. S. GRANT,

*Commanding Army of the United States, Washington, D. C.:*

Your letter of the 21st instant is this day received, disapproving and revoking my order, (Special Orders No. 28,) which removes the aldermen and assistant aldermen of the city of New Orleans therein named and appointing others in their stead; also, reinstating the members of the boards of aldermen and assistant aldermen, and directing that they will resume their duties as aldermen and assistant aldermen the same as if said order had not been issued.

My action in the removal of the members of the city council of New Orleans, who are reinstated by your order, was adopted after grave deliberation and, as I believe, was the result of a necessity imposed on me which could not have been avoided without a disregard of the interests of the public service and of the obligations imposed on me by the reconstruction acts and by the orders of my predecessor. It is in substance declared in the reconstruction acts that the government of the rebel States, if continued, is to be continued subject in all respects to the military commanders of the respective military districts, &c. In section 6 of the act passed March 2, 1867, it is enacted, that "until the people of said rebel States shall be by law admitted to representation in the

Congress of the United States, any civil government which may exist therein shall be deemed provisional only, and in all respects subject to the paramount authority of the United States at any time to abolish, modify, control, or supersede the same." Under the authority of that section my predecessor in command of this district issued Special Orders No. 7, dated March 28, 1867, in which he prohibited the holding of any election—State, parish, municipal, or judicial—in the State of Louisiana until the provisions of the laws of Congress shall have been complied with.

The office of recorder for the second district in the city of New Orleans is a judicial office of great importance in the administration of criminal justice. By the laws of the State that office is elective, and is to be filled by a vote of the people of the district. Since the order of my predecessor was issued I am not aware that any election by the people has been holden in the State to fill any office; nor am I aware that the city council has by its action filled any office other than such as the council is authorized to fill under the law creating the city government. The city attorney referred to in your letter is an officer appointed to transact the legal business of the city, and he is by law to be chosen by a vote of the city council. The selection of a person to fill the office is a part of the duty imposed on the city council by the charter after it once becomes an organized body.

The office of recorder for one of the districts into which the city is divided is not an office created by law for the administration of municipal business, but is one in which the people of the city at large and the public in general are interested. It is, therefore, by law filled, in the ordinary condition of things, by an election by the people, and the city council has no authority to act in relation to it, except it be to provide temporarily to prevent a vacancy in it during the intervals between the elections provided for by law. It is in no sense an office with which the city council has any concern in the administration of municipal business, and, in my opinion, was clearly embraced in the terms of the order of the 28th March, 1867, issued by my predecessor.

The Jefferson city council was removed by General Mower because they ordered an election to be held for the appointment of their successors. This action on the part of the city council was in direct contravention of the order referred to; and, in my view, the action of the members of the city council of New Orleans in attempting to fill the office of recorder for the second district of the city was not only in violation of that order, but was also an assumption on their part of the right to exercise the authority to fill offices of a general nature, which is, by the reconstruction acts, specially delegated to the district commanders. It is true that General Orders No. 40, issued by me, to which you refer, declares that when "insurrectionary force has been overthrown and peace established, and the civil authorities are ready and willing to perform their duties, the military power should cease to lead, and the civil administration resume its natural and rightful dominion." And I conceive that no violence was done to the principle enunciated in the declaration when I gave effect to the order of my predecessor and restrained the members of a municipal body from doing an act for which no existing law gave them any authority.

In conclusion, I will only observe that I entertain serious apprehensions that the revocation of my order, and the re-establishment of the council removed by me, will be injurious to the public interest and increase the embarrassments under which the community is now laboring. Your order will be immediately executed.

W. S. HANCOCK,  
*Major General U. S. A., Commanding.*

[Special Orders No. 44.]

HEADQUARTERS FIFTH MILITARY DISTRICT,  
*New Orleans, Louisiana, February 27, 1868.*

4. By direction of General Grant, so much of paragraph 4 of Special Orders No. 28, current series from these headquarters, as removes the aldermen and assistant aldermen of the city of New Orleans therein named, "for contempt of orders from these headquarters," and appoints others in their stead, is hereby revoked, and the members of the boards of aldermen and assistant aldermen removed by it are hereby reinstated, and will resume their duties the same as if the said orders had not been issued.

So much of paragraph 2, Special Orders No. 41, current series from these headquarters, as appoints certain persons members of the boards of aldermen and assistant aldermen of the city of New Orleans in place of previous appointees who had declined or failed to qualify, is, in consequence, also revoked.

By command of Major General Hancock :

GEO. L. HARTSUFF,  
*Assistant Adjutant General.*

[Letter received March 5, 1868.]

HEADQUARTERS ARMY OF THE UNITED STATES.  
*Washington, February 29, 1868.*

GENERAL: Your telegraphic despatch of the 27th inst., in reply to my order revoking your order displacing a portion of the city council of New Orleans and appointing their successors, is received. There was nothing in my order which doubted your authority to make removals and appointments when the public exigency requires it. I only exercised an authority given to me as General of the army, under which law both of us find our authority to act in such matters. Your order of removal was based on certain charges which I did not think were sustained by the facts as they were presented to me.

Despatches of such length as yours should be sent by mail, when there is not a greater necessity for prompt reply than seems to exist in this case.

Very respectfully your obedient servant,

U. S. GRANT, *General.*

Major General W. S. HANCOCK,  
*Commanding Fifth Military District.*

Official :

R. CHANDLER,  
*Captain 13th Infantry.*

[Special Orders No. 40.]

HEADQUARTERS FIFTH MILITARY DISTRICT,  
*New Orleans, Louisiana, February 22, 1868.*

The auditor and the treasurer of the State of Louisiana have officially represented to the commanding general of the fifth military district that "the indebtedness of the State is such that, under the present revenue laws, the debt cannot be paid;" and the governor of the State has, in an official communication to the commanding general, declared

that the State treasury is totally bankrupt; that the judges and all the other officers of the State cannot be paid, and that unless some remedy be applied, the machinery of civil government in the State must stop. The collection of arrear taxes for four years was, by act of the legislature, suspended until the year 1870, and the appropriation act of the State, passed on the 25th of March, 1867, to meet the current expenses of the State, expired on the 31st of December, 1867, so that no adequate provision for the current year now exists, and no payments can be made by the treasurer. The emergency of the case is so pressing, and immediate and prompt action so indispensable to prevent anarchy and confusion and the loss of all semblance of civil law, that the commanding general feels it his duty to use his authority for the relief of the State in this exigency. Upon the recommendation of his excellency Governor Baker, it is, therefore, ordered:

I. That from and after this day all the licenses on trades, professions, and occupations, the revenues, dues, and taxes of the State of Louisiana, shall be payable and collected in United States legal tender treasury notes. It is made the duty of the State treasurer, and of all other persons charged with these collections, to exact payments as above.

II. The auditor and treasurer of the State shall be required to keep a special and separate account of all dues, taxes, funds, or other public moneys which shall be received by them, hereafter, from any and all collectors of taxes, or from other sources; and it shall be their duty to appropriate the same to the payment of the salaries of the judicial, executive, and civil officers of the State; and to pay and discharge all the appropriations made in favor of the charitable institutions, the free public schools, for the rent of the Mechanics' Institute, and for the support of the State convicts. The act of the legislature making appropriations for the general expenses of the State ending the 31st of December, 1867, so far as the appropriations therein set forth apply to the above enumerated officers and institutions, will be adopted by the said treasurer and auditor, and other officers, as if the said legislature had passed the same act providing for the year 1868, making appropriations for the objects hereinbefore specified in this order, for the sums contained in said act; provided, however, that the treasurer of the State shall not pay any other outstanding warrants or other obligations of the State than those that are issued against appropriations for the last quarter of the year 1867, restricting himself in the payment of these last-mentioned obligations to those applicable to, and issued in favor of, the officers and institutions hereinbefore referred to in this order, and for whose special benefit and protection this order provides, and for no others.

III. For the purpose of carrying out this order without delay, the tax collectors throughout the State of Louisiana will report immediately, under oath, to the State treasurer, the kinds and amounts of funds and moneys collected by them up to this date.

IV. For the purpose of avoiding expense throughout the State, the assessments which have been made for the year 1867 are adopted as if the same had been made for the year 1868, and the collectors will be required to perform their duties under existing laws.

\* \* \* \* \*

By command of Major General Hancock:

GEORGE L. HARTSUFF,  
*Assistant Adjutant General.*

Official:

NATHANIEL BURBANK,  
*Second Lieut. 37th Inf., Bvt. First Lieut. U. S. A., A. A. A. G.*

[Special Orders No. 46.—Extract.]

HEADQUARTERS FIFTH MILITARY DISTRICT,  
*New Orleans, Louisiana, February 29, 1868.*

\* \* \* \* \*

5. It having been satisfactorily established that the repairs just completed on the plantation known as the Ezra Davis plantation, in the parish of St. Charles, Louisiana, right bank of the river, about 22 miles from New Orleans, are inadequate to protect the country below and the Opelousas railroad, (the principal and most direct line of communication with Texas;) and that there is the most urgent necessity for building levees at this place; and that the police jury, as well as the planters, of the parish have neglected to take the necessary steps to have the said work performed, it is ordered that the making and building of said levees be adjudicated to the lowest bidder, by Captain C. H. Hoyt, assistant quartermaster, (temporarily placed on duty, in this instance, in connection with civil affairs,) on Saturday, the 7th day of March, 1868, at 12 m., at his office, No. 204 Camp street, New Orleans, according to plans and specifications to be submitted by W. A. Freret, State engineer, to these headquarters. The bid to be so much per cubic yard, and the work to be completed in time and manner to insure protection from overflow.

It is furthermore ordered that the lands known as the Ezra Davis plantation, with the improvements thereon, be subject to a special lien and privilege for the costs of making aforesaid levees, and that the ordinary formalities prescribed by law for the adjudication of said work be dispensed with.

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By command of Major General Hancock:

GEORGE L. HARTSUFF,  
*Assistant Adjutant General.*

Official:

NATHANIEL BURBANK,  
*Second Lieut. 37th Inf., Bvt. First Lieut. U. S. A., A. A. G.*

[Special Orders No. 50.—Extract.]

HEADQUARTERS FIFTH MILITARY DISTRICT,  
*New Orleans, Louisiana, March 5, 1868.*

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2. By direction of General Grant, so much of paragraph 4, Special Orders No. 26, current series, from these headquarters, dated February 5, 1868, as removes William Baker from the office of street commissioner for the city of New Orleans, and appoints George D. Field in his place, is hereby revoked; and the said William Baker is hereby reinstated, and will resume the duties of said office of street commissioner for the city of New Orleans the same as if said order of removal had not been made.

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By command of Major General Hancock:

GEORGE L. HARTSUFF,  
*Assistant Adjutant General.*

Official:

R. CHANDLER,  
*Captain, Assistant Secretary Civil Affairs.*

[Special Orders No. 54.]

HEADQUARTERS FIFTH MILITARY DISTRICT,  
*New Orleans, Louisiana, March 10, 1868.*

Under the provisions of section 4 of the supplementary act of Congress passed March 23, 1867, the following persons are hereby appointed on the boards of registration for the approaching revision and election for the State of Louisiana, for the districts and parishes respectively named:

- Ascension*.—H. G. Ingham, Elphege Gaudin, Charles Mullet.  
*Assumption*.—W. G. Wilkinson, O. M. Jackson, Samuel H. Fields.  
*Avozelles*.—Albert H. Blake, T. J. Edwards, F. E. R. Chubbuck.  
*Baton Rouge East*.—George M. Husted, H. V. Babin.  
*Baton Rouge West*.—Valentine Dubroca, Julius G. Badenhauseu, Wm. B. Chamberlain.  
*Bienville*.—William H. Finnegan, Thomas F. Conklin.  
*Bossier*.—James H. Dobie, Percy Baker, Samuel Berry.  
*Caddo*.—Ross Wilkinson, Frederick A. Fuller.  
*Calcasieu*.—P. A. Burns.  
*Caldwell*.—John Ewing, John Bedford, Tilford Smith.  
*Carroll*.—George A. Sheridan, G. C. Benham.  
*Catahoula*.—Edward S. Wilson.  
*Claiborne*.—Charles B. Slack.  
*Concordia*.—Isaac A. Abbot, John McConkey.  
*De Soto*.—Thomas Carey, John Beady.  
*Felician East*.—Henry B. Chase, Frank Roig, Robert H. Draughn.  
*Felician West*.—S. W. Welton, John McElwe, Matthew Riley.  
*Franklin*.—B. S. Small, Leroy S. Ward, Charles E. Jordon.  
*Iberville*.—William Brown, J. L. Dupresne, C. E. Merrill.  
*Jackson*.—G. W. Ferguson, A. A. Milliken, L. M. Kidd.  
*Jefferson*.—William D. Smith, Thomas Friend, J. J. Gutierrez.  
*Lafayette*.—Jefferson I. Caffrey, Rosmond C. Landry, James Fry.  
*Lafourche*.—E. J. Bruff, Octave Blanchard, Thomas L. Morris.  
*Livingston*.—N. T. Hyer, Lafayette Evans.  
*Madison*.—Henry Carstens.  
*Morchouse*.—W. A. Moulton, John W. Bowles.  
*Natchitoches*.—O. N. Blackington, William Roy, S. W. Kile.  
*Orleans*.—First district, J. A. Roberts, J. H. Moore; second district, C. H. Roberts, J. P. Stagg; third district, J. E. Scott; fourth district, Theodore James, Dr. John Green.  
*Ouachita*.—J. R. Gillam, David Hasley, Ansel Edwards.  
*Plaquemine*.—Julius Lovell, R. H. McMillan.  
*Pointe Coupée*.—James M. Cooley, Bernard Dayries, J. P. Watson.  
*Rapides*.—N. G. Smith, George J. Penfield.  
*Sabine*.—Gorham Munson, D. W. Brandon.  
*St. Bernard*.—Thomas Ong, Edmund Villere, Jules Delery.  
*St. Charles*.—George E. Emerson, Benjamin G. Adams.  
*St. Helena*.—Abraham Wommack, J. E. Yerkes, D. F. Setton.  
*St. James*.—Dr. Charles Grey, William H. Lawton, Marceline Oubre.  
*St. John Baptist*.—James T. Reid.  
*St. Landry*.—M. D. Kavanaugh, George N. Rogers, Edmund H. Martin.  
*St. Martin*.—Darnesville Olevier, Placide Bienvenu, J. W. Seaman.  
*St. Mary's*.—Homer H. Smith, James G. Parkinson, Fred. C. Palfrey.  
*St. Tammany*.—John T. Mortee, Isaac Evans, Nelson Collins.  
*Tensas*.—Robert Worrell, R. D. Mitchell.  
*Terrebonne*.—William J. Minor, Joachim Guerra, George H. Packwood.

*Union*.—Lorenzo M. Bronson, C. J. McLellan.

*Vermillion*.—Rudolph Curtis, Lyman C. Lyons, Levi H. Kibbe.

*Washington*.—Joseph Chillet, John F. Ard, Wesley W. Faust.

*Winn*.—William Wright, Egbert H. Deloach, Isham T. Cooley.

Each member of the boards of registrars, before commencing his duties, will file with the chairman of his board, for transmittal to these headquarters, the following oath: "I, A. B., do solemnly swear (or affirm) that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel, or encouragement to persons engaged in armed hostility thereto; that I have neither sought or accepted nor attempted to exercise the functions of any office whatever under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power, or constitution within the United States, hostile or inimical thereto. And I do further swear (or affirm) that, to the best of my knowledge and ability, I will support and defend the constitution of the United States, against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter: so help me God."

Registrars will be governed in the execution of their duties by the provision of the reconstruction acts, faithfully administering the oath therein prescribed to each person registered.

Boards of registrars will select suitable offices, in the county parishes at the court-house, and in the parish of Orleans within their respective districts, having reference to convenience and facility for revision of registration.

Office hours will be from 7 a. m. to 12 m., and from 1 to 7 p. m. Each board will immediately proceed to establish polling places in each voting precinct of their respective parishes and districts, and select three suitable persons to act as commissioners of election therefor. The election precincts will remain as heretofore established by law.

Commissioners of election will be required to take the same oath of office taken by the registrars, and which may be subscribed to before any registrar or justice of the peace, and will be filed with the chairman of the board for transmittal to these headquarters.

Two of the commissioners in each precinct will be required to act as clerks of the election, and care must be taken to select suitable persons for this purpose.

Registrars will be paid eight dollars per day for the time actually employed, and their necessary expenses incurred for transportation to their respective parishes, and in travelling therein, in accordance with this order.

Commissioners, six dollars per day for their services on the day of election.

Every voucher must be approved by the chairman of the board, and if for expenses incurred, must be accompanied by sub-vouchers or an affidavit of its correctness.

Registrars appointed by this order, now in the city, will report at these headquarters without delay.

The records, papers, &c., pertaining to each parish, will be forwarded

to the chairman of the board of said parish, who will be held responsible for their safe-keeping.

By command of Major General Hancock:

GEO. L. HARTSUFF,  
Assistant Adjutant General.

Official:

NATHANIEL BURBANK,  
Second Lieut. 37th Inf., Bvt. First Lieut. U. S. A., A. A. A. G.

[Special Orders No. 55.—Extract.]

HEADQUARTERS FIFTH MILITARY DISTRICT,  
New Orleans, Louisiana, March 11, 1868.

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3. Whereas a convention recently assembled at New Orleans, Louisiana, in compliance with Special Orders No. 166, from these headquarters, dated October 21, 1867, did, in pursuance of the acts of Congress mentioned in said order, proceed to frame a constitution and civil government for the State of Louisiana; and whereas the acts of Congress provide that the election for the ratification of said constitution shall be conducted by the officers or persons appointed, or to be appointed, by the commanding general, said election will be held in the State of Louisiana, from 7 a. m. to 7 p. m., on the 17th and 18th days of April, 1868, at which the registered voters of said State may vote for or against the constitution submitted to them by said convention.

I. Commencing fourteen days before the election, boards of registrars will, after having given reasonable public notice, revise, at the places where the boards are in session, for a period of five days, the registration lists, and upon being satisfied that any person not entitled thereto has been registered, will strike the name of such person from the list. The boards will also during the same period add to the registry the names of all persons who at that time possess the qualifications required by law, and who have not already been registered. [See sec. 7, supplementary act of July 19, 1867.]

Upon completion of the revision of registration the boards of registrars will immediately proceed to make up their precinct poll-books. For this purpose they will use the precinct books used at the last election, making the necessary corrections. They will also forward to these headquarters a tabular statement, giving the number of persons registered (white and colored) during revision; the number rejected, (white and colored;) the names of the persons refused registration and stricken from the rolls will be given, with statement showing the cause therefor.

II. The polls will be opened at every voting precinct in each parish, at the places designated by law. No person will be allowed to vote whose name does not appear on the registry list. The election will be by ballot. "Those voting in favor of the constitution shall have written or printed on the ballots by which they vote as aforesaid the words, 'For the Constitution.' And those voting against the constitution shall have written or printed on such ballots the words, 'Against the Constitution.'" Each ballot presented by a colored voter will be marked "colored" by one of the judges of election. Poll-books will be kept of the names of the voters as at ordinary elections in the State. As each voter presents his certificate, one of the judges will endorse on it "voted," with the date, and signed by one of the commissioners.

III. The boards of registration of each parish will be superintendents of and will conduct the election, and will see that all the necessary pre-



parations are made for properly conducting the same; that due and sufficient notice is given of the time and object of the election; commissioners appointed, proper ballot-boxes prepared, &c. If, from any cause, any of the registrars of a parish fail to perform the duty incumbent upon them, either at the revision directed in paragraph I, or at the election, their places will be filled by the clerk of the district court, or recorder of the parish court, in the order named; provided they can qualify according to law. If vacancies cannot be thus filled, the remaining portion of the registration board will fill them with persons who can duly qualify, notifying this office of the same.

IV. The election at each precinct will be presided over by the three commissioners, who will be sworn in the same manner as the registrars. Should only two of the commissioners be present, they shall appoint a third; should only one be present, he shall appoint another, and they together shall appoint a third. To carry out this, commissioners are authorized to administer the required oath.

V. At the close of the election the commissioners will carefully count and make duplicate returns of the result of the election, stating also, in four separate lists respectively, the number of white voters for, the number of colored voters for, and the number of each against the constitution. The ballots will then be replaced in the ballot-boxes, which will be sealed, and, together with the registration and election records will be carried by one of the commissioners to the court-house or place designated, and turned over to the board of registrars. The board will then carefully count and make duplicate returns of the votes cast in the manner prescribed for commissioners of election, and will see whether the vote of each precinct corresponds with the record of the commissioners. The ballots will then be replaced in the ballot-boxes, which will be sealed, and, together with the registration and election records, will be turned over to such parish officer or member of the registration board as said board may select, who will receipt therefor, and will be held responsible for the same. Each member of the board will make affidavit to the correctness of the returns, one copy of which will then be brought by some member of the board to the commanding general of the fifth military district at New Orleans, the other copy will be retained by the board until further orders.

VI. The boards of registrars and commissioners will see that a full and fair opportunity is given for depositing his ballot to every man entitled to vote, and will generally do everything that is requisite to secure a full and impartial expression of the opinions and wishes of the registered voters.

VII. If, from any cause, the elections in any of the precincts cannot be held, as, for instance, the inability to procure properly qualified commissioners, the boards of registrars will give timely notice to the voters thereof as to where they shall vote in an adjoining precinct in their own parishes.

VIII. No persons shall act as commissioners or registrars under this order who are candidates at the election for any office.

IX. The sheriff of each parish is made responsible for the preservation of good order and the perfect freedom of the ballot at the various election precincts in his parish. To this end he will appoint a deputy, who shall be duly qualified under the laws of the State, for each precinct in the parish, who will be required to be present at the place of voting during the whole time the election is being held. The said deputies will promptly and fully obey every demand made upon their official services in preserving the peace and good order by the commissioners of election. Deputies appointed in accordance with the foregoing will be paid the

same as commissioners, on accounts approved by the registrars, out of the reconstruction fund. As an additional measure to secure the purity of the election, each commissioner and registrar is hereby clothed during the election with authority to call upon the civil officers of the parish to make arrests, and in case of failure of the aforesaid civil officers, are empowered to perform their duties during the election. They will make full report of such failures on the part of civil officers, to the commanding general fifth military district.

X. All places where intoxicating liquors are retailed will be closed on the days of election, and such sale of liquors is prohibited during said election days.

XI. Military interference with elections, "unless it shall be necessary to keep the peace at the polls," is prohibited by law; and no soldiers will be allowed to appear at any polling place, unless, as citizens of the State, they are registered as voters, and then only for the purpose of voting; but the commanders of posts will be prepared to act promptly, if the civil authorities fail to preserve the peace.

XII. When the returns shall have been received at the headquarters of the fifth military district, the result of the election will be published by the commander thereof.

XIII. Persons who convey returns to the headquarters of the fifth military district will be paid at New Orleans reasonable expenses incurred in making the journey and returning.

XIV. In case of questions arising as to the right of any individual to be registered, the person deeming himself aggrieved is entitled to his appeal from the decision of the board, and the boards are directed to make a full statement of the facts in such cases, and to forward the same to these headquarters without unnecessary delay.

XV. Should Congress enact hereafter that at the approaching election votes shall also be cast for State and other officers, the same registrars and commissioners will act under this order for the election of said officers. In such an event orders will issue from these headquarters, notifying the qualified voters that such an election is authorized.

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By command of Major General Hancock:

GEO. L. HARTSUFF,  
*Assistant Adjutant General.*

Official:

NATHANIEL BURBANK,  
*Second Lieut. 37th Inf., Bvt. First Lieut. U. S. A., A. A. A. G.*

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[Special Orders No. 57.]

HEADQUARTERS FIFTH MILITARY DISTRICT,  
*New Orleans, Louisiana, March 13, 1868.*

I. The following appeals from decisions made by boards of registrars of the last revised registry in the State of Texas having been forwarded to these headquarters, are hereby decided and announced as follows:

1. J. M. Maxcy, Walker county, rejected by the board, claims right to be registered *because of a pardon*. Section 7 of the supplementary reconstruction act, passed July 19, 1867, expressly forbids any registration because of a pardon, if the applicant would have been disqualified without any pardon. Appeal rejected. Decision of the board sustained.

2. John C. Easton, I. G. Searcy, H. H. Boone, B. F. Davis, and Ben

Goodrich, all of Grimes county, rejected because they were notaries public prior to 1861. This office may be considered a State office under general laws, but the having holden a State or federal office before the late war does not of *itself* disqualify one from registration; he must "afterwards have engaged in insurrection or rebellion against the United States, or given aid or comfort to the enemies thereof." (Section 6, act of July 19, 1867.) The applicants state that they were never at any time afterwards engaged in rebellion, &c., against the United States. The decision of the board is reversed, and the applicants will be admitted to registry.

3. Jas. A. Baker, Walker county, rejected because he held the office of alderman. This is not an office under a general law. Appeal sustained. The applicant will be admitted to registry.

4. Doctor F. Campbell, Walker county, rejected because he was a councilman of a village. This is not an office under a general law. Appeal sustained. Applicant will be admitted to registry.

5. J. D. Cunningham, Walker county, rejected because he was a county commissioner, an office under a general law of the State, and, as such, applicant would not be entitled to register if he had afterwards engaged in rebellion, &c. But in the absence of proof of the fact he would be entitled to register. The report of the board of registrars states that "he was rejected by a former board for the reason that he was a county commissioner, and the present board rejects him without examination." This decision was wrong. The applicant is entitled to registry, if it is shown that he did not "afterwards engage in insurrection," &c.

6. John J. Davis, Richard Bass, John Hill, Samuel L. Kelsey, Green H. Wood, all of Walker county, rejected by the board. These cases are similar in principle to the case of J. D. Cunningham, above cited, and the same action will be taken therein.

7. Edward Dougherty, Victoria county, and M. C. Rogers, Huntsville county, rejected by the board on the ground that a pardon did not qualify them to register. These cases are the same as that of J. M. Maxcy, above cited, and the decision of the board is sustained. They are not entitled to registry.

8. J. R. Sneether and W. T. Robinson, Walker county, and George F. Rodgers, Victoria county, and James Sorlen, Galveston county, rejected by board because they have held the office of alderman. Similar in principle to the case of Jas. A. Baker, above cited. The applicants are entitled to registry.

9. W. B. Kemp, Fayette county, was rejected by the board because he was a lieutenant of militia before the war, and then went into the rebellion. He is not disfranchised by the acts of Congress. An officer in the militia is not an executive or judicial officer. His appeal is sustained, and he is entitled to registry.

10. W. F. Gillespie, Lafayette county, rejected by the board. His case is similar in principle to that of W. B. Kemp, above cited, and the same action will be taken.

11. J. W. McKinney, Cameron county, was rejected because he was a sergeant in the ranging service of the United States prior to February, 1861, and afterwards took part in the rebellion. Sergeants in the army are not "officers" in the sense of the acts of Congress, and the applicant is not disfranchised by them. The decision of the board is reversed. The applicant will be admitted to registration.

12. John Sutherland, Jackson county, held both a judicial and executive office, and afterwards voted for the ordinance of secession, and was in the confederate army. He was properly rejected. The decision of the board is sustained.

13. B. F. Moss, Lavacca county, was rejected because he was a member of the convention which voted secession. He is not embraced in any class disfranchised by the acts. He may be registered if he can take the oath prescribed by the act of March 23, 1867.

14. Geo. W. Glasscock, Travis county, rejected because he has been in the confederate army. He is entitled to registry if he can take the oath prescribed by the act of March 23, 1867.

15. J. R. Pettus, Fort Reno county, rejected by the board because he had been rejected by a previous board, on account of his having been an alderman in 1859. This case is the same in principle as that of Jas. A. Baker, previously cited. The applicant is entitled to be registered under the acts of Congress.

16. James A. Jourdan and John M. Briggs, Rusk county, were refused registration on the allegation that they were disloyal. They never held an office of any kind. They were once registered, but their names had been stricken from the registry on the ground of disloyalty. They had taken the required oath. Appeal sustained. They are entitled to registry.

17. B. S. Whiting, Grimes county, Joseph Boone, Montgomery county, L. F. Roberts, Seguin county, G. W. Strather, Galveston county, and William L. Callender, Victoria county, were refused registration on the ground that they had been clerks of election. This being an office under a general law, the decision of the board is sustained. The applicants are not entitled to registration.

II. George Kellogg is hereby appointed a member of the board of aldermen of the city of New Orleans, vice C. Schneider, resigned.

J. E. Scott is hereby appointed a member of the board of assistant aldermen of the city of New Orleans, vice J. H. Ogleby, resigned.

Upon accepting these appointments the above-named persons will forward to these headquarters a copy of the oath prescribed by law.

III. Upon the recommendation of his excellency Governor Pease, of Texas, Leroy Lord is hereby appointed sheriff of Williamson, Texas, vice D. B. McDonald, resigned.

On accepting this appointment he will forward to these headquarters a copy of the oath prescribed by law.

IV. The following named persons are hereby appointed as members of the boards of registration for the parishes respectively designated :

<i>Catahoula</i> .—Cooper Fugate.	<i>Livingston</i> .—C. W. West.
<i>Claiborne</i> .—E. B. St. Ange.	<i>Morehouse</i> .—James L. Wright.
<i>Caldwell</i> .—James P. Hare.	<i>Texas</i> .—John H. Manuel.
<i>Concordia</i> .—Patrick Frizzle.	<i>Union</i> .—Thomas S. Johnson.
<i>De Soto</i> .—Charles McNab.	

V. Upon the recommendation of his commanding officers, Private James Fagan, company A, 6th cavalry, in confinement for desertion, is hereby restored to duty without trial, subject to the provisions of paragraphs 158, 161, 1357 and 1358, Revised Regulations of Army, 1863.

VI. Upon the recommendation of the commanding general district of Texas, Private George B. Cram, company H, 26th infantry, in confinement for desertion, is hereby restored to duty without trial, subject to the provisions of paragraphs 158, 160, 161, 1357 and 1358, Revised Regulations of Army, 1863.

By command of Major General Hancock :

GEO. L. HARTSUFF,  
*Assistant Adjutant General.*

Official :

R. CHANDLER,  
*Captain 13th Infantry.*

HEADQUARTERS FIFTH MILITARY DISTRICT,  
OFFICE OF SECRETARY FOR CIVIL AFFAIRS,  
*New Orleans, Louisiana, December 20, 1867.*

SIR: In answer to your communication of the 30th ultimo, requesting his intervention in staying proceedings in suits against the city on its notes, the major general commanding directs me to respectfully submit his views to you on that subject, as follows:

Such a proceeding on his part would, in fact, be a stay-law, in favor of the city of New Orleans, which, under the Constitution, could not be enacted by the legislature of the State, and in his judgment such a power ought not to be exercised by him; if at all, only in a case of the most urgent necessity.

That the notes referred to were issued originally in violation of the charter of the city cannot be denied; but the illegal act has since been ratified by the legislature. The corporation is therefore bound to pay them; and even if a defence could be made on technical grounds, it would be disgraceful for the city to avail itself of it. Why, then, should the creditors of the city be prevented from resorting to the means given them to enforce the obligation?

In support of your application you state that the city is unable to pay its debts; this is unfortunately the case with most debtors, and on that ground nearly all other debtors would be equally entitled to the same relief.

The supreme court of this State has decided that taxes due a municipal corporation cannot be seized, under execution, by a creditor of the corporation, nor is any other property used for municipal purposes liable to seizure. If, therefore, a constable levies an execution on such property, he is a trespasser, and the city has its remedy against him in the proper tribunal.

It does not, therefore, seem to the major general commanding that there is an urgent necessity which would justify his interference in the manner required. Besides, the expediency of such a measure is more than questionable, for instead of reinstating the confidence of the public in city notes it would probably destroy it altogether.

I am, sir, very respectfully, your obedient servant,

W. G. MITCHELL,

*Brevet Lieut. Col. U. S. Army, Sec'y for Civil Affairs.*

Hon. E. HEATH,  
*Mayor of New Orleans.*

Official:

R. CHANDLER,  
*Captain 13th Infantry.*

HEADQUARTERS FIFTH MILITARY DISTRICT,  
OFFICE OF SECRETARY FOR CIVIL AFFAIRS,  
*New Orleans, Louisiana, December 28, 1867.*

COLONEL: I am directed by the major general commanding, to acknowledge receipt of a letter from Nelson Durand, (forwarded by you,) stating that the treasurer of Avoyelles parish, Louisiana, caused an election to be held to ascertain if the citizens of the township were in favor of selling a school section belonging to the parish, and requesting an opinion as to the legality of said election.

In reply to said letter, I am directed by him to state that if the pro-

visions of the law were complied with in regard to advertisements, the manner of taking the sense of the inhabitants, and legal voters only were admitted to take part, there seems to be no reason why the action should be considered a nullity. It was not, properly speaking, an election, but a way prescribed by law of arriving at the will of the community as regards the disposition to be made of certain school lands belonging to the parish.

The previous authorization of the major general commanding is not considered necessary, but if the sense of the people was not duly regarded (on the previous occasion) as to the foregoing requirements, the matter should be again referred to them for a free and legal expression of their opinion.

I am, colonel, very respectfully, your obedient servant,

W. G. MITCHELL,

*Brevet Lieut Col. U. S. Army, Sec'y for Civil Affairs.*

Lieutenant Colonel W. H. WOOD,

*Commanding District of Louisiana, New Orleans.*

Official:

W. G. MITCHELL,

*Bvt. Col., &c., A. A. A. G.*

HEADQUARTERS FIFTH MILITARY DISTRICT,

OFFICE OF SECRETARY FOR CIVIL AFFAIRS;

*New Orleans, Louisiana, December 28, 1867.*

SIR: I am directed by the major general commanding to acknowledge the receipt of your letter of the 23d instant, in which you state:

1st. That the boards of registrars in the State of Texas held it to be a disqualification for registration to have acted, at any time, as overseer of a public road, to have acted as a deputy, or performed any duty or labor, though not under oath, for any officer whose office was mentioned among those enumerated in certain instructions under which the boards of registration in that State acted, of which instructions you give a copy.

2d. That "some who were not reached by these assumed qualifications" were rejected "because they had volunteered in the confederate service."

3d. That immigrants to Texas from other States engaged in the rebellion, as a class, have been excluded from registration.

4th. That "the freed people have been registered with little regard to age, some being known to be under 21 years of age; and many being reported to have been registered who were only 17, 18, and 19 years of age."

And you then call the attention of the commander of the fifth military district to your statements, with a view to his taking some action with respect to them. Without expressing any opinion as to the particular questions raised in your letter, I am directed by the major general commanding to state:

1st. That no board of registrars could admit to registration, under the acts of Congress, any person who did not take the oath prescribed in section 1st of the act passed on the 23d day of March, 1867.

2d. That the act of Congress of July 23, 1867 declares that the oath required by the 1st section of the act of the 23d of March, 1867, "shall not be conclusive on such question," and that no person should be "registered unless" the "board decided that he was entitled to be so;" and gave

special power to said boards "to examine under oath, &c., any one touching the qualification of any person claiming registration," &c. (See section 5 of the act of July 23, 1867.)

3d. That the same act, in section 6, also declares that the words "executive or judicial officer in any State in said oath mentioned," shall be construed to include all civil officers created by law for the administration of any general law of a State, or for the administration of justice; so that overseers of roads are undoubtedly officers in the sense of the act.

It follows, then, necessarily from these acts, that the registrars, after an applicant for registration had taken the oath prescribed, were at liberty, first, to examine any one under oath touching the qualifications of the applicant for registration, &c.; and second, to decide upon the evidence before them upon the applicant's right to registration.

The mode of proceeding for the registration of those entitled to vote, as detailed by you, was in conformity to the directions of the different acts of Congress on the subject, and the commander cannot, therefore, set the registration aside. Nor can he, without violation of the principles hitherto recognized as binding in the management of all public business, be called on to take any action as to the registration of voters made in Texas, on the suggestion of errors in judgment having been committed on the part of boards of registrars, in the discharge of the duties imposed on them, no matter how numerous those errors may have been. The different boards of registrars were bodies having limited judicial powers, and their decisions are final in all cases within their jurisdiction, like those of ordinary courts, unless there are appeals taken from their decisions, in individual cases, with a view to their revision by competent superior authority. Although there may have been great abuses in the registration of voters both in Texas and Louisiana, under the acts in question, they are beyond the reach of correction from the exercise of any authority vested in the commander of the district.

I am, sir, very respectfully, your obedient servant,

W. G. MITCHELL,

*Bvt. Lieut. Col. U. S. A., Sec'y for Civil Affairs.*

Hon. JOHN HANCOCK, *Austin, Texas.*

Official:

R. CHANDLER,

*Captain, Assistant Secretary for Civil Affairs.*

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HEADQUARTERS FIFTH MILITARY DISTRICT,  
OFFICE OF SECRETARY FOR CIVIL AFFAIRS,  
*New Orleans, Louisiana, December 28, 1867.*

SIR: Brevet Major General J. J. Reynolds, commanding district of Texas, in a communication dated Austin, Texas, November 19, 1867, requests that a military commission may be ordered "for the trial of one G. W. Wall, and such other prisoners as may be brought before it," and forwards in support of the request the following papers:

First. A printed account taken from a newspaper dated Uvalde, October, 1867, (contained in a letter of James H. Taylor, and in another from Dr. Ansell, United States surgeon at Fort Inge,) of the murder of R. W. Black, on the — day of October, 1867. In this account it is stated Mr. Black was shot through the heart by G. W. Wall, "while lying on the counter at Mr. Thomas's store."

Second. A letter of Judge G. H. Noonan to Governor Pease, dated November 10, 1867, informing him that "Wall, Ehacker, and Pulliam are in confinement, in Uvalde county, for murder." In this letter it is asked: "Would it not be best to try them by military commission?"

Third. A letter from Governor Pease, dated "executive of Texas, Austin, November 11, 1867," in which the governor states that he "received a telegram from Judge G. H. Noonan, an extract from which I transmit herewith." In the letter of the governor the further statement is made that, "Uvalde county, where the prisoners are confined, is on the extreme western frontier of the State, and has only about 100 voters in a territory of about 900 square miles;" and he then adds, "it is not probable that they (meaning the prisoners) can be kept in confinement long enough ever to be tried by the civil courts of that county," and expresses the opinion that they never can be brought to trial, unless it is done before a military commission. And he therefore asks that a military commission be ordered for their trial.

From an examination of the papers submitted to the commander of the fifth military district, it does not appear that there is any indisposition or unwillingness on the part of the local civil tribunals to take jurisdiction of and to try the prisoners in question; and a suggestion made by the governor, that it is not probable the prisoners can be kept in confinement long enough to be tried by the civil courts, (and which is apparently based on the fact that Uvalde county is a frontier county, and does not contain more than 100 voters,) seems to be the only foundation on which the request for the creation of a military commission is based. This, in the opinion of the commanding general, is not sufficient to justify him in the exercise of the extraordinary power vested in him by law "to organize military commissions or tribunals" for the trial of persons charged with offences against the laws of a State.

It is true that the third section of "An act to provide for the more efficient government of the rebel States," makes it the duty of the commanders of military districts "to punish, or cause to be punished, all disturbers of the public peace and criminals;" but the same section also declares that "to that end he may allow local civil tribunals to take jurisdiction of and to try offenders." The further power given to him in the same section, "when in his judgment it may be necessary for the trial of offenders" to organize military commissions for that purpose, is an extraordinary power, and from its very nature should be exercised for the trial of offenders against the laws of a State only in the extraordinary event that the local civil tribunals are unwilling or unable to enforce the laws against crimes. At this time the country is in a state of profound peace. The State government of Texas, organized in subordination to the authority of the government of the United States, is in the full exercise of all its proper powers. The courts duly empowered to administer the laws, and to punish all offenders against those laws, are in existence. No unwillingness on the part of these courts is suggested to inquire into the offences with which the prisoners in question are charged; nor are any obstructions whatever in the way of enforcing the laws against them said to exist. Under such circumstances there is no good ground for the exercise of the extraordinary power vested in the commander to organize a military commission for the trial of the persons named.

It must be a matter of profound regret to all who value constitutional government, that there should be occasions, in times of civil commotion, when the public good imperatively requires the intervention of the military power for the repression of disorders in the body politic, and for the



punishment of offences against the existing laws of a country framed for the preservation of social order; but that the intervention of this power should be called for, or even suggested by civil magistrates, when the laws are no longer silent, and civil magistrates are possessed, in their respective spheres, of all the powers necessary to give effect to the laws, excites the surprise of the commander of the fifth military district. In his view it is of evil example, and full of danger to the cause of freedom and good government, that the exercise of the military power, through military tribunals created for the trial of offences against the civil law, should ever be permitted, when the ordinary powers of the existing State governments are ample for the punishment of offenders if those charged with the administration of the laws are faithful in the discharge of their duties.

If the means at the disposal of the State authorities are insufficient to secure the confinement of the persons named in the communication of the governor of the State of Texas to the general commanding there, until they can be legally tried on the fact being made known to him, the commander of the district will supply the means to retain them in confinement; and the commanding officer of the troops in Texas is so authorized to act. If there are any reasons in existence which justify an apprehension that the prisoners cannot be fairly tried in that county, let the proper civil officers have the "venue" changed for the trial as provided for by the laws of Texas.

In the opinion of the commander of the fifth military district, the existing government of the State of Texas possesses all the powers necessary for the proper and prompt trial of the prisoners in question in due course of law.

If these powers are not exercised for that purpose, the failure to exercise them can be attributed only to the indolence or culpable inefficiency of the officers now charged with the execution and enforcement of the laws under the authority of the State government; and if there is such a failure in the instance mentioned on the part of those officers to execute the laws, it will then become the duty of the commander to remove the officers who fail to discharge the duties imposed on them, and to replace them with others who will discharge them.

Should these means fail, and it be found on further experience that there are not a sufficient number of persons now exercising political power in Texas to supply the public with officers who will enforce the laws of State, it will then become necessary for the commander of the fifth military district to exercise the powers vested in him by the acts of Congress, under which he is appointed, for the purpose of vindicating the majesty of the law; but until such necessity is shown to exist, it is not the intention of the commanding general to have recourse to those powers, and he deems the present a fitting occasion to make this known to the governor of Texas, and through him to the people of the State at large.

I am, sir, very respectfully, your obedient servant,

W. G. MITCHELL,

*Bvt. Lieut. Col. U. S. A., Sec'y for Civil Affairs.*

His Excellency E. M. PEASE,

*Governor of Texas.*

Official:

R. CHANDLER,

*Captain, Assistant Secretary for Civil Affairs.*

HEADQUARTERS FIFTH MILITARY DISTRICT,  
OFFICE OF SECRETARY FOR CIVIL AFFAIRS,  
*New Orleans, Louisiana, December 30, 1867.*

GOVERNOR: I am directed by the major general commanding to acknowledge the receipt of your communication of the 11th instant, with papers and documents accompanying the same, charging the police jury, parish of Orleans, right bank, with appropriating to their own use and benefit the public funds of said parish, and with being personally interested in contracts let by them, and recommending the removal from office of the president and members of said police jury; and in reply, to state that these charges present a proper case for judicial investigation and determination, and as it is evident to him that the courts of justice can afford adequate relief for the wrongs complained of, if proved to exist, the major general commanding has concluded that it is not advisable to resort to the measures suggested in your excellency's communication.

I am, governor, very respectfully, your obedient servant,

W. G. MITCHELL,

*Bvt. Lieut. Col. U. S. A., Sec'y. for Civil Affairs.*

His Excellency B. F. FLANDERS,

*Governor of Louisiana.*

Official:

W. G. MITCHELL,

*Bvt. Col. and Acting Assistant Adjutant General.*

HEADQUARTERS FIFTH MILITARY DISTRICT,  
OFFICE OF SECRETARY FOR CIVIL AFFAIRS,  
*New Orleans, Louisiana, January 2, 1868.*

SIR: In reply to your communication, requesting the major general commanding to issue a certain order relative to the New Orleans, Mobile and Chattanooga Railroad Company, I am directed by him to state:

That the order asked for embraces questions of the most important and delicate nature, such as the exercise of the right of eminent domain, obstruction of navigable rivers or outlets, &c., and it appears to him very questionable whether he ought to deal with questions of that kind; nor is it clear that any benefit could result to the company from such an order.

So far as the State of Louisiana is concerned, there can be no difficulty in obtaining a decree of expropriation of the land which may be required for the enterprise, according to the existing laws, as the company has been regularly incorporated under the general corporation act. Be this, however, as it may, the question of power, which the company desires solved by the proposed order, belongs properly to the judiciary, and, therefore, the major general commanding declines to take action in this matter.

If you desire, the papers in this case, together with a copy of this letter, will be forwarded to the Secretary of War.

I am, sir, very respectfully, your obedient servant,

W. G. MITCHELL,

*Bvt. Lieut. Col. U. S. A., Sec'y for Civil Affairs.*

HENRY VAN VLEET, Esq.,

*Chief Engineer.*

Official:

W. G. MITCHELL,

*Bvt. Col. and Acting Assistant Adjutant General.*

HEADQUARTERS FIFTH MILITARY DISTRICT,  
OFFICE OF SECRETARY FOR CIVIL AFFAIRS,  
*New Orleans, Louisiana, January 7, 1868.*

SIR: In reply to your letter relating to your removal from the judgeship of the second judicial district of the State of Texas, I am directed by the major general commanding to say that all questions of removals and appointments by the commanding officer of the district of Texas, which were made by virtue of authority delegated to him by the commanding general of the fifth military district, will shortly be referred to General Grant by Major General Hancock, for the purpose of ascertaining whether such removals and appointments are legal or not, under the reconstruction acts.

In case it should be decided by the authorities at Washington that the appointments and removals made by the commanding officer of the district of Texas, under the delegated authority from the general commanding the fifth military district, are legal, General Hancock would still be prevented from taking any final action in your case by General Grant's order, which prevents the commanding officers of military districts from making any appointments or reinstating any persons to civil offices who have been removed by themselves or their predecessors in command. In compliance with the order in question (General Grant's) General Hancock has taken no final action in any case of this nature, except when specially instructed to do so.

I am, sir, very respectfully, your obedient servant,

W. G. MITCHELL,

*Bvt. Lieut. Col. U. S. A., Sec'y for Civil Affairs.*

JOHN C. IRELAND, Esq.,

*Late Judge Second Judicial District, Texas.*

Official:

R. CHANDLER,

*Captain 13th Infantry.*

HEADQUARTERS FIFTH MILITARY DISTRICT,  
OFFICE OF SECRETARY FOR CIVIL AFFAIRS,  
*New Orleans, Louisiana, January 12, 1868.*

GOVERNOR: I am directed by the major general commanding to acknowledge the receipt of your letter and accompanying documents, relative to an application from the mayor and city council of Houston, for authority to hold an election to determine whether a special tax shall be levied for the purpose of raising means with which to cut a ship's channel to Galveston bay, and to state that if the power to hold such election was not conferred upon the city of Houston by its act of incorporation, nor by any act of the legislature, no such election, and no tax levied for such a purpose, would be legal.

I am, governor, very respectfully, your obedient servant,

W. G. MITCHELL,

*Bvt. Lieut. Col. U. S. A., Sec'y for Civil Affairs.*

His Excellency E. M. PEASE,

*Governor of Texas, Austin, Texas.*

Official:

W. G. MITCHELL,

*Bvt. Col. and Acting Assistant Adjutant General.*

HEADQUARTERS FIFTH MILITARY DISTRICT,  
OFFICE OF SECRETARY FOR CIVIL AFFAIRS,  
*New Orleans, Louisiana, January 15, 1868.*

SIR : The major general commanding directs me to acknowledge the receipt of your communication of the 13th instant, in which you ask whether he "will enforce an ordinance which the constitutional convention may adopt, providing for a stay of execution on all judgments rendered in this State by State courts until the 1st of January, 1870; excepting judgments for taxes and for wages of laborers," &c., and in reply to call your attention to the 4th and 8th sections of the act of Congress passed on the 23d of March, 1867, defining powers of the convention.

By the first of these sections it is enacted that "when organized, it shall proceed to frame a constitution and civil government according to the provisions of this act, and to the act to which it is supplementary;" and the eighth section provides "that the convention for each State shall prescribe the fees, salary, and compensation to be paid to all delegates and other officers and agents herein authorized or necessary to carry into effect the purposes of this act, not herein otherwise provided for, and shall provide for the levy and collection of such taxes on the property in such State as may be necessary to pay the same."

From these provisions it is clear that the convention is clothed with the extraordinary power of framing a constitution and civil government, &c., and that it possesses no authority to deal with subjects of ordinary legislation, except to levy and provide for the collection of taxes to pay its members, officers, &c.; and as the ordinance to which you refer in your letter is entirely foreign to the framing of a constitution and civil government, it appears to the major general commanding that such an ordinance, if passed by the convention, would be without any validity.

Very respectfully, your obedient servant,

W. G. MITCHELL,

*Bvt. Lieut. Col. U. S. A., Sec'y for Civil Affairs.*

Hon. W. H. COOLEY, *New Orleans, La.*

Official:

R. CHANDLER,

*Captain, Assistant Secretary for Civil Affairs.*

HEADQUARTERS FIFTH MILITARY DISTRICT,  
OFFICE OF SECRETARY FOR CIVIL AFFAIRS,  
*New Orleans, Louisiana, January 15, 1868.*

SIR : I am directed by the major general commanding to acknowledge receipt of your letter of the 13th instant, in which you state that "the taxes imposed by the constitutional convention cannot be collected through the ordinary process of collecting taxes in this State," and "refer the whole matter to him for his action;" and in reply to state that the tax collectors of the parishes of Orleans and Jefferson, in their report to you of the same date, say that "the tax payers have generally refused to pay the tax." By reference to the ordinance of the convention you will find "that the auditor of public accounts of the State shall, as under existing laws in relation to the collection of taxes, superintend and control the collection of said tax of one mill per cent., and shall give immediate notice and instructions to the different sheriffs and tax collectors." It does not appear from your statement that any process for

the collection of this tax has issued, or that any other steps have been taken, except giving notice in the newspapers, and a demand to pay, which has been refused. No resort has been made to those coercive means to enforce the payment of taxes pointed out by the laws of the State; this it is your duty to direct the tax collector to do. When that is done, and forcible resistance should be made, the major general commanding will, upon it being reported to him, take prompt measures to vindicate the supremacy of the law.

I am, sir, very respectfully, your obedient servant,

W. G. MITCHELL,

*Bvt. Lieut. Col. U. S. A., Secretary for Civil Affairs.*

H. PERALTA, Esq.,

*Auditor of Public Accounts, New Orleans, La.*

Official:

R. CHANDLER,

*Captain, Assistant Secretary for Civil Affairs.*

HEADQUARTERS FIFTH MILITARY DISTRICT,

OFFICE OF SECRETARY FOR CIVIL AFFAIRS,

*New Orleans, Louisiana, January 17, 1868.*

SIR: I am directed by the major general commanding to acknowledge the receipt of a resolution adopted January 15, 1868, by the constitutional convention now in session in this city, appointing a committee to confer with him relative to the collection of the tax authorized by the ordinance passed December 24, 1867, and to state, in reply, that by the ordinance of the constitutional convention the mode of collecting the tax of one mill per cent. is pointed out. It is made the duty of the auditor to direct the tax collectors and sheriffs to enforce the payment by the process designated by the laws of the State; and should any such process be forcibly resisted, the major general commanding will promptly use the military power to maintain the supremacy of the laws. To this extent he has authority to act; but it is not his province to interfere in the matter in any other way.

I am, sir, very respectfully, your obedient servant,

W. G. MITCHELL,

*Bvt. Lieut. Col. U. S. A., Secretary for Civil Affairs.*

W. L. McMILLAN, Esq.,

*Chairman of Committee, &c.*

Official:

R. CHANDLER,

*Captain, Assistant Secretary for Civil Affairs.*

HEADQUARTERS FIFTH MILITARY DISTRICT,

OFFICE OF SECRETARY FOR CIVIL AFFAIRS,

*New Orleans, Louisiana, January 21, 1868.*

GENTLEMEN: The major general commanding directs me to acknowledge the receipt of your letter of the 17th instant, and to state, in reply, that the second ordinance of the constitutional convention adopted, on 4th of January, 1868, a new mode for the collection of the tax, and imposes penalties on defaulting tax-payers.

You request the commanding general to state what his action would be, should the civil courts of Louisiana interfere with the collectors in the discharge of their duties. In this connection the commanding general deems it unnecessary to repeat what he has already stated in reply to a previous letter concerning his authority on this subject. It would be highly improper for him to anticipate any illegal interference of the courts in the matter.

Whenever a case arises for the interposition of the powers vested in the commanding general by the acts of Congress, he will promptly exercise them for the maintenance of law and order.

I am, sir, very respectfully, your obedient servant,

W. G. MITCHELL,

*Bvt. Lieut. Col. U. S. A., Secretary for Civil Affairs.*

Hon. WM. P. McMILLAN and Hon. M. VIDAL,

*Special Committee.*

Official:

W. G. MITCHELL,

*Bvt. Col. and Acting Assistant Adjutant General.*

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HEADQUARTERS FIFTH MILITARY DISTRICT,

OFFICE OF SECRETARY FOR CIVIL AFFAIRS,

*New Orleans, Louisiana, January 21, 1868.*

GENERAL: I am directed by the major general commanding to acknowledge the receipt of a letter from Brevet Captain John H. Brough, assistant sub-assistant commissioner Bureau Refugees, Freedmen, and Abandoned Lands, at Donaldsonville, La., forwarded through your headquarters, with your endorsement, relative to the claim and complaint of certain freedmen on the "Buena Vista" plantation, and, in reply, to state that the main ground of complaint in the matter relating to the wages of these persons is based on the length of time which it will require before the district court of the parish can act, inasmuch as there will not be a session of the court until the first Monday in May next. These parties are not remediless, for they can apply to the judge of the court, who, by a law of this State, is authorized to hold adjourned or special terms.

This is a case of great hardship, both on the freedmen and lessee of the plantation. The failure of the crop has given rise to the whole of it. The court can best determine the rights of all parties concerned.

The directions contained in Circular No. 18, issued by Lieutenant Colonel Wood, assistant commissioner for Louisiana, dated December 9, 1867, if carried out will produce the most good for all concerned.

The major general commanding therefore directs that you instruct the bureau agent at Donaldsonville to call upon the judge of the district court of the parish at once to hold a special term of his court for the trial of these cases complained of, and, in case of a failure or refusal to hold said term, the said bureau agent will at once make such seizures of crop and property, and sell the same, as may be requisite to secure the freedmen their just dues.

I am, general, very respectfully, your obedient servant,

ROBERT CHANDLER,

*Captain, Assistant Secretary for Civil Affairs.*

Major General R. C. BUCHANAN,

*Commanding District of Louisiana, New Orleans, La.*

Official:

R. CHANDLER,

*Captain 13th Infantry.*

HEADQUARTERS FIFTH MILITARY DISTRICT,  
OFFICE OF SECRETARY FOR CIVIL AFFAIRS.

*New Orleans, Louisiana, January 21, 1868.*

GENERAL: I am directed by the major general commanding to acknowledge receipt of your letter of the 6th instant, together with copies of telegrams and other documents, showing that a disturbance was created at a public meeting in Marshall, Texas, and the arrest on certain parties by the military authority, and the release of said parties by writ of *habeas corpus*. You also ask for instructions upon the following points: "When a military officer makes an arrest of a civilian, shall the latter be delivered up at once, on the application of himself or friends, to the civil authority, as was done at Marshall, or shall the military officer hold the civilian in custody until the case shall have been reported and acted upon at this or superior headquarters?"

In reply, Major General Hancock directs me to say, by virtue of the third section of the act of Congress of the 2d March, 1867, it is made the duty of the district commanders "to punish or cause to be punished all disturbers of the public peace and criminals, and to this end he may allow local civil tribunals to take jurisdiction of, and try offenders, or when, in his judgment, it may be necessary for the trial of offenders, he shall have power to organize military commissions or tribunals for that purpose," &c. It is obvious that it is left optional with the district commander to determine before what courts offenders shall be tried. When the accused is turned over for trial to the civil tribunals he is subject to their custody and jurisdiction, and he must necessarily be turned over forthwith to the proper civil officers for that purpose: for in that class of cases the military can exercise no control over the civil authority. If, on the contrary, the offender is to be tried by a military commission or tribunal, he is held in the custody of the military, and the civil courts are forbidden to interfere under color of State authority. These two classes of cases are entirely distinct, and different rules apply to them. General Orders No. 40, from these headquarters, expressly refers to this distinction. In proper cases the offender may be held for a sufficient length of time, to enable the commanding general to determine whether the party ought to be tried by a military commission. When a writ of *habeas corpus* issues in cases submitted to military jurisdiction, a return of that fact is sufficient, and the civil court is bound at once to dismiss the application. When the report of Colonel Wood, special inspector, in reference to this affair, is received, further specific orders will be given in this case.

It is the intention of the major general commanding to support the civil authorities when they require assistance, and to that end he will discharge all civil officers who fail to perform their duties.

For further advice as to your proposed action on this subject, see letter to Governor Pease, copies of which have been furnished you.

I am, Sir, very respectfully, your obedient servant.

ROBERT CHANDLER,

*Captain, Assistant Secretary for Civil Affairs.*

Brevet Major General J. J. REYNOLDS,

*Commanding District of Texas.*

HEADQUARTERS DISTRICT OF TEXAS,  
*Austin, Texas, January 6, 1868.*

**COLONEL:** In compliance with General Orders No. 40, headquarters fifth military district, next to last paragraph, I have the honor to enclose herewith copies of four telegrams relating to a recent disturbance at Marshall, Texas. These telegrams include all the official information thus far received on the subject. It appears that the sheriff Perry, and his deputy, Adams, have not only failed to exert themselves to preserve the peace, but have been the leaders in the disturbance. These officers are not new appointees.

As the case is represented, the disturbance was quelled and arrests made by military authority. The parties arrested, in this instance some of the civil officers of the county, were released on writ of habeas corpus.

This case brings up a question of great importance to the State of Texas, and one which I conceive involves to a very high degree the preservation of order. I invite the attention of the major general commanding fifth military district to the point involved, which I will endeavor to explain.

Before the promulgation of General Orders No. 40, headquarters fifth military district, persons arrested by military authority would have been held in custody under General Orders No. 4, headquarters district of Texas, until directions could be given in each case. If the offence were bailable instructions would issue from district headquarters to the proper civil authority to take action in the case, failing in which the civil authority could be held responsible. If the offence were not bailable, the accused would be nevertheless turned over to civil custody, provided he could be securely held for trial, otherwise he would be held by the military, in aid of the civil authority, until he could be tried. The accused would not, however, be turned over to civil authority by the military officer who made the arrest until he should receive instructions from headquarters district of Texas, or from the major general commanding fifth military district.

It is now claimed that under General Orders No. 40, headquarters fifth military district, a civilian arrested by a military officer, no matter under what circumstances, must be delivered up to civil custody at once, and without any reference to superior military authority. This construction of General Orders No. 40 makes the order supersede the law of Congress and renders the military force powerless to execute the third section of the act of March 2, 1867.

The occurrence at Marshall seems to me to come clearly under the next to last paragraph of General Orders No. 40, from headquarters fifth military district, and according to my interpretation of that order the military officer should have held the parties in military arrest until he could have received further orders. Respect for the authority of the United States government would thus have been maintained, whereas the action actually taken can result only in bringing the authority of the United States into contempt, and making it subordinate to the authority of the State of Texas, which, at the present time, is in direct violation of section 3 of the act of March 2, 1867. The commanding officer at Marshall has, it appears to me, erred in permitting others to interpret Order No. 40 for him, and in regulating his action thereby, rather than by the plain reading of the order.

In this connection I further invite the attention of the major general commanding fifth military district to the enclosed copy of the reply of Judge T. H. Duval, United States district judge for western district of



Texas, to an application for writ of habeas corpus in the cases of civil prisoners held by military arrest at Tyler, Texas. These cases have all been since passed upon at this headquarters, in conformity with General Orders No. 40, headquarters district of Texas, and the parties have been delivered up to the civil authority. It is probable that arrests must continue to be made by military officers in this State to preserve order, where the civil authorities, as in the recent case at Marshall, fail to discharge their duty. I respectfully request instructions on the following points: When a military officer makes an arrest of a civilian, shall the latter be delivered up at once on the application of himself or friends to the civil authority, as was done at Marshall, or shall the military officer hold the civilian in custody until the case shall have been reported and acted upon at this or superior headquarters. Ordinarily the cases can be disposed of at this headquarters, under General Orders No. 41, headquarters district of Texas, with a saving of time but if it is desired, all such cases will be forwarded with the utmost despatch to the major general commanding fifth military district.

I enclose several newspaper slips as illustrative of cases that will probably require military arrests.

Since writing the above telegram No. 5 has been received, which caused my telegram of 6th to headquarters fifth military district.

I am, colonel, very respectfully, your obedient servant,

J. J. REYNOLDS,

*Brevet Major General U. S. A., Commanding.*

Official:

R. CHANDLER,

*Captain 13th Infantry.*

Brevet Lieutenant Colonel W. G. MITCHELL,

*Secretary of Civil Affairs 5th Mil. Dist. New Orleans, La.*

#### THE RECENT DISTURBANCE IN MARSHALL, TEXAS.

*Official report of Colonel Wood.*

HEADQUARTERS FIFTH MILITARY DISTRICT,

*New Orleans, Louisiana, February 3, 1868.*

SIR: In compliance with paragraph 3 Special Orders No. 7, current series, from the headquarters fifth military district, and under special verbal instructions from the major general commanding, I proceeded to Marshall, Texas, on the 14th ultimo, for the purpose of investigating the circumstances attending the difficulty transpiring at that place on the 30th of December, 1867, on the occasion of a public speech made there by Judge J. M. Caldwell, and I now have the honor to submit the following report as the result of that investigation.

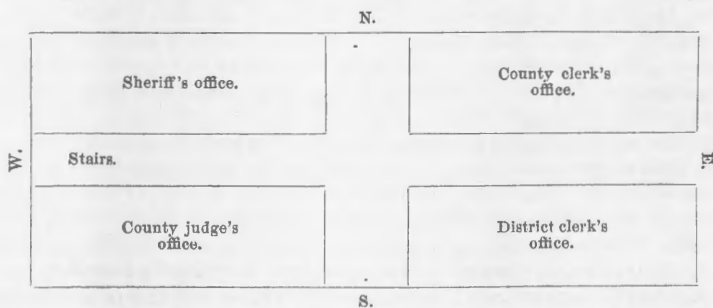
Previous to the morning of the day that Judge Caldwell made his speech it was not generally known that any public speaking would take place. (See testimony of Lieutenant Hawley, No. —, page 1; General Broughton, No. —, page 1, and others.)

The day was very inclement. Judge Caldwell applied to Judge Board, the county judge, stating to him that he wished admission to the courtroom to make the speech, and Deputy Sheriff Adams had the key and refused to give it up, unless requested to do so by Lieutenant Hawley, the post commander of Marshall; whereupon Judge Board went to Lieutenant Hawley and requested him to direct Adams to give up the key,

which he refused to do unless the request of Judge Board was made in writing. Judge Board returned to his office, and was proceeding to write out the request, when Judge Caldwell informed him he need not do so, as he would say all he wished then to say in the entry of the court house. (See Lieutenant Hawley's testimony, No. 1, page 1, and testimony of Judge Board, No. 4, page 3.) Judge Caldwell then, between 12 o'clock m. and 10 o'clock p. m. proceeded to make a short address to the crowd, principally negroes, from the platform in the court-house entry on which the stairs rest that lead up to the court room. During his address he was once interrupted by some person in the crowd, denying the truth of some fact or position assumed by the judge; when, without further interruption of any kind, he proceeded to the end of his speech, and dismissed the audience. (See testimony of S. Taliaferro, No. 6, page 2.)

Immediately on Judge Caldwell ending his speech, a negro man took the place which had been occupied by Judge Caldwell, and proceeded to give out and sing, in which he was joined by the negroes, a song called "Rally round the flag, boys." (See Taliaferro's testimony, No. 6, page 3.) While in a state of intoxication, at the commencement of the singing of the second verse, one J. Richardson, standing near the north entrance of the court-house, and to the right hand of the entrance inside, elevated a pistol at about an angle of 33 degrees, discharged it in the air, the ball entering in the ceiling, and ordered the negroes to disperse. Judge Caldwell, at the time of the firing of the pistol, was standing in the court-house passage, about midway between the door of the county judge's office and the door of the district clerk's office, and the principal portion of the negroes, some 150 or 200, were between him and Richardson.

The position of the parties can be readily seen from the following rough diagram:



The dot at the north entrance, denoting where Richardson stood, and the dot near the south entrance, between the county judge's office door and that of the district clerk, denoting where Caldwell stood. The platform marked "stairs," is the point from which Judge Caldwell addressed the crowd, they standing in front of him, and on the right and left in the division passages. (See Taliaferro's testimony, No. 16, page 1.)

At the time of the firing of the pistol, neither Sheriff Perry, Deputy Sheriff Adams, Deputy County Clerk Curtis, nor Jailor Sloan, were present. Sheriff Perry was in the country, about seven miles from Marshall. (See testimony of W. C. Wood, No. 25, page 1; J. T. Wornack's, No. 24, page 1, and others.)

Adams, Curtis, and Sloan, had gone to dinner, and were returning, but had not yet arrived, when the shot was fired, (see testimony of L. Greenleaf, No. 11, page 1; S. Taliaferro, No. 6, pages 1 and 3, and E.

Dreyfus, No. 20, page 1;) and being peace officers, immediately repaired to the scene of difficulty. Not knowing who fired the shot, nor for what it had been done, they directed the negroes to disperse, Adams stating that such things—meaning the disturbance—should not be done in the court-house. There is no testimony that either Curtis or Sloan did anything. That Adams was in good faith trying to quell the disturbance is evinced by the fact that when Judge Caldwell came forward, saying, "Dont kill me; don't assassinate me," Adams told him he should not be hurt. (See Taliaferro's testimony, No. 6, page 1)

As to James Hill, he heard the pistol, and walked from his store, at the other side of the street, entered at the entrance of the court-house yard, and up to the court-house, and entered at the north entrance, and immediately turned round and went back again without doing anything whatever. (See testimony of J. A. Healey, No. 15, page 1.) As to Poland, he was seen in the court-house yard trying to preserve order and get the crowd to disperse. (See testimony of J. F. Pierce, No. 18, page 1, and W. M. Jones, No. 12, page 1.) While as to McKay, there is not a particle of testimony that he did anything, or even that he was there. It may be enough, perhaps, to say of this disturbance, that after the shot was fired the crowd did disperse, no violence was committed on any one, and order and quiet were immediately restored.

The events of next day, the 31st, in which Sheriff Perry, Deputy Sheriff Adams, and Judge Caldwell figure, are briefly these: On the morning of the 31st Sheriff Perry went to the office of General H. Broughton, assessor of United States internal revenue for the fourth district of Texas, and inquired for him, stating that he was very sorry that the disturbance had occurred on the day previous. He was told there that General Broughton was at the office of Lieutenant Malloy, sub-assistant commissioner of the Freedmen's Bureau, where he immediately proceeded, and found General Broughton, and also Judge Caldwell, to whom he was introduced by General Broughton. Perry immediately said he had come in search of him, Broughton, to consult with him in regard to the difficulty, and to get him to go with him to Judge Caldwell that he might apologize to him in regard to the difficulty the day previous, whereupon Perry expressed his regret to Judge Caldwell that the disturbance had occurred, and a conversation of some half an hour's continuance, of the most conciliating character, ensued between Perry, Caldwell, and Broughton in regard to the transaction of the day before; (see General Broughton's testimony, No. 5, pages 1, 2, 3, and 4; also Lieutenant Malloy's testimony, No. 2, pages 1 and 2,) when Perry left the office, and twenty or thirty minutes after General Broughton left the office of Lieutenant Malloy also.

After General Broughton left Lieutenant Malloy's office Perry came back, bringing Adams with him. It is to be regretted that there is no other witness to the interview between Perry, Caldwell, and Adams, than Lieutenant Malloy, for the reason that Lieutenant Malloy can only recollect very little of the language used by the parties, and there being such a marked difference between the account of the conversation between Perry and Caldwell, in the first instance, as given by Lieutenant Malloy, and that given by General Broughton; and it is unfortunate for the other consideration that there is a marked difference between Lieutenant Malloy's account of the affair, as furnished to Lieutenant Hawley, of the date of 31st December, 1867, marked exhibit A, (see transcript of proceedings on *habeas corpus*, No. 26,) and the account of the same transaction rendered on oath before me, January 26, 1868. (See testimony of Lieutenant Malloy, No. 2.) But as this latter testimony is the only tes-

timony of that transaction it is our only guide, and from it we gather that when Sheriff Perry left his (Lieutenant Malloy's) office it was to bring Adams there to prove to Judge Caldwell that Adams was not the man who broke up the meeting. Very little conversation took place between Adams, Perry, and Caldwell, before Caldwell told Adams that he did not wish to hold any further conversation with him who sympathized with assassins—whereupon Adams called Caldwell a damned liar. The parties immediately separated, and as Adams was going out he turned round his head and told Caldwell he would meet him on the street and have satisfaction. (See Lieutenant Malloy's testimony, No. 2, page 2.) A short time after this a man by the name of Coleman entered Lieutenant Malloy's office with a double-barreled gun, and told him that Adams was lying in wait to kill him, for a negro man had told him so. Lieutenant Malloy says in his testimony (No. 2, page 3,) that he was satisfied that Adams had no intention of using violence against him, as he had no difficulty with him, (Adams,) and that it was Judge Caldwell who had to fear the violence. Yet Lieutenant Malloy does not make this correction in his communication to Lieutenant Hawley, the post commander. (See exhibit A.)

After hearing Coleman's statement Lieutenant Malloy and Judge Caldwell looked out of the window and saw Adams on the other side of the street walking up and down the pavement in front of the Capital hotel, and looking up at the bureau office as if expecting some person to come down, when Lieutenant Malloy sent to Lieutenant Hawley for soldiers to protect them, to camp. After waiting a short time, and no soldiers coming, and finding Adams gone, they proceeded to the camp undisturbed, not meeting with or seeing Adams. (See Lieutenant Malloy's testimony, No. 2, page 4, and Coleman's testimony, No. 3, pages 2 and 3.) Perry, in the meantime, had an interview with Lieutenant Hawley, and told him that Judge Caldwell had insulted him, and he intended to have satisfaction, and he wished Lieutenant Hawley not to be there to witness it. (See testimony of Lieutenant Hawley, No. 1, page 4.) Upon this Lieutenant Hawley that evening arrested Perry, Adams, and Richardson. Richardson, at the time of the arrest, was under arrest for the offence of firing the pistol and disturbing the meeting before the mayor of the city. (See testimony of James Turner, No. 10, page —, and W. J. Hall, No. 9, page 1.)

The question will present itself—were their arrest by the military necessary? Before taking that question into consideration, however, it may be proper to consider the propriety of calling out the military after the breaking up of the meeting on the 30th. Lieutenant Hawley ordered out ten men and a sergeant, who were posted at different places in the vicinity of the court-house. Yet, however much he thought it to be his duty, it was ill-judged, to say the least of it. There was no disturbance occurring, or likely to occur. The civil authorities had not been appealed to. They were ready, willing, and able to preserve the peace, and bring violators of the law to trial and punishment. (See General Broughton's testimony, No. 5, page 4, and James Turner's testimony, No. 10, page 4, and the testimony of others on this subject.) If there was any excuse for the first arrest, there was certainly none for the rearrest. Perry, Adams, and Richardson sued out a writ of *habeas corpus*, by virtue of which they were brought before Judge Williamson (the district judge who issued the writ) by Lieutenant Hawley, and delivered over to the city authorities. They were tried by the judge, and required to enter into bond and security for their appearance at the district court to answer to the charge. (See transcript of proceedings on *habeas corpus*, No. 26, and testimony of

James Turner, No. 10, page 2.) Lieutenant Hawley then arrested Poland, Curtis, Hill, Sloan, and McKay, who also sued out a writ of *habeas corpus*, and, after some delay, were delivered up on the writ to the civil authorities. (See transcript of proceedings on *habeas corpus*, No. 26, and testimony of James Turner, No. 10, page 3.) These cases were put off from time to time, and have not yet been tried for the following reasons: The wife of Judge Williams being sick, the trial was postponed until the 13th of January, 1868; but before the trial, to wit, on the night of the 10th and the morning of the 11th of January, 1868, all the parties were rearrested by Lieutenant Hawley, (except Adams and Richardson,) on the same charge upon which they were first arrested. Writs of *habeas corpus* were sued out on the 11th of January, 1868, which required Lieutenant Hawley to bring the prisoners before Judge Williamson (the judge who issued the writs) at 2 o'clock p. m. of the same day, with the cause of their arrest and detention. (See transcript of proceedings on *habeas corpus*, No. 26, and testimony of James Turner, No. 10, page 3.) Lieutenant Hawley appeared before the judge at the time and answered in writing that he refused to give up the prisoners named in the writs, because he was ordered by General Reynolds, his immediate commanding officer, to arrest said parties and hold them until further orders. (See transcript of proceedings on *habeas corpus*, No. 26, page 16.) If Lieutenant Hawley received such an order, as no doubt he did, from General Reynolds, it must have been issued in consequence of some person or persons representing the case to the general in a manner not warranted by the facts.

But admitting that he had received such an order from General Reynolds, on a fair representation of all facts, yet that would have furnished no excuse for having disobeyed the writ. By the principles of General Orders No. 40, of 1867, from the headquarters of the fifth military district, General Reynolds was as much required to obey the writ as Lieutenant Hawley, and if Lieutenant Hawley had reported to General Reynolds that he had delivered the parties up to the civil authorities by virtue of a writ of *habeas corpus*, that would have been a sufficient answer to his superior officer, and would have exonerated him from all liability in the matter.

In my telegram to you dated Marshall, Texas, January 27, 1868, I "recommended that Lieutenant Hawley, post commander, be directed to deliver up all the prisoners to the civil authorities, in obedience to the writ of *habeas corpus*." That recommendation was based upon the testimony referred to, and other testimony, numbered from 1 to 26, all enclosed herewith, and upon the fact that when the parties were rearrested by the military, the civil law was in full and effective operation.

I am, sir, very respectfully, your obedient servant,

W. H. WOOD,  
Lieut. Col. 1st U. S. Infantry.

HEADQUARTERS FIFTH MILITARY DISTRICT,  
New Orleans, Louisiana, February 6, 1868.

A true copy:

NATHANIEL BURBANK,  
Acting Assistant Adjutant General.

Official:

R. CHANDLER,  
Captain 13th Infantry.

HEADQUARTERS FIFTH MILITARY DISTRICT,  
OFFICE OF SECRETARY FOR CIVIL AFFAIRS,  
*New Orleans, Louisiana, February 12, 1868.*

GENERAL: I am directed by the major general commanding to acknowledge receipt of an extract from a letter sent to you by A. N. Muntagh, agent of the Freedmen's Bureau, in Abbeville, Louisiana, and forwarded by you to this office, which extract is as follows:

I am sorry to state that when such cases occur the civil authorities have no jail or other secure place to put them in, and they are consequently chained down in some common room, which I believe is not only brutal but illegal. I will here put a case for information. If a writ of arrest is taken out by the civil authorities against a freedman, and when he is arrested, and in default of a jail, is chained down until trial, is it consistent with my duties to interfere with the civil authorities, and forbid his being chained down?

In reply, I am directed by Major General Hancock to state that the above is a mere generalization, and not such a statement of facts as requires any action from these headquarters.

The agents of the Freedmen's Bureau are required to conform their action to the provisions of the civil rights bill, and also to observe the orders from these headquarters, none of which are inconsistent with the Freedmen's Bureau bill, passed July 16, 1866. When any cases arise not covered by said act and orders from the headquarters of the Freedmen's Bureau in Washington and in New Orleans, or concerning which they should be in doubt, the facts of the case should be fully reported, so as to enable the proper authorities to take the necessary action. Until this is done no case is presented for action, for it would be an endless and useless undertaking to endeavor to provide for all imaginary cases which the agents of the Freedmen's Bureau may conceive.

Paragraph 2 of circular No. 18, headquarters Bureau of Refugees, Freedmen, and Abandoned Lands, district of Louisiana, December 9, 1867, seems to be in answer to the inquiry.

I am, general, very respectfully, your obedient servant,

ROBERT CHANDLER,

*Capt. 13th U. S. Inf'y, Ass't Sec'y for Civil Affairs.*

Brevet Major General R. C. BUCHANAN,

*Assistant Commissioner Bureau R. F., and A. L.,*

*New Orleans, La.*

Official:

R. CHANDLER,

*Captain, Assistant Secretary for Civil Affairs.*

HEADQUARTERS FIFTH MILITARY DISTRICT,  
*New Orleans, Louisiana, February 24, 1868.*

GENERAL: Referring to the report of Captain E. Collins, 17th infantry, sub-assistant commissioner of the Bureau Refugees, Freedmen, and Abandoned Lands, at Brenham, Texas, dated December 31, 1867, and transmitted by you for my information, I have the honor to state that I do not understand how any orders of mine can be interpreted as interfering with the proper execution of the law creating the bureau. It is certainly not my intention that they should so interfere. Anything complained of in that letter, which could have lawfully been remedied by the exercise of military authority, should have received the action of General Reynolds, who, being military commander, and also assistant commissioner for Texas, was the proper authority to apply the remedy, and to that end was vested with the necessary power.

A copy of the report of Captain Collins had already been forwarded to me by General Reynolds before the receipt of your communication.

and had been returned to him January 16, with the following endorsement:

Respectfully returned to Brevet Major General J. J. Reynolds, commanding district of Texas. This paper seems only to contain vague and indefinite complaints, without specific action as to any particular cases. If Captain Collins has any special cases of the nature referred to in his communication which require action at these headquarters, he can transmit them and they will receive attention.

No reply has been received to this—a proof either of the non-existence of such special cases, or of neglect of duty on the part of Captain Collins in not reporting them. It is and will be my pleasure as well as duty to aid you and the officers and agents under your direction in the proper execution of the law. I have just returned from a trip to Texas. While there I passed through Brenham twice, and saw Captain Collins, but neither from him, nor from General Reynolds, did I hear anything in regard to this subject, so far as I recollect. There are numerous abuses of authority on the part of certain agents of the bureau in Texas, and General Reynolds is already investigating some of them.

My intention is to confine the agents of the bureau within their legitimate authority so far as my power as district commander extends; further than that it is not my intention or desire to interfere with the Freedmen's Bureau. I can say, however, that had the district commander a superior control over the freedmen's affairs in the district, the bureau would be as useful, and would work more harmoniously and be more in favor with the people. At present there is a clashing of authority. I simply mention the fact, without desiring any such control.

The reconstruction act charge district commanders with the duty of protecting all persons in their rights of persons and property; and to this end authorizes them to allow local civil tribunals to take jurisdiction of, and try offenders; or, if in their opinion necessary, to organize a military commission or tribunals for that purpose.

They are thus given control over all criminal proceedings for violation of the statute laws of the States, and for such other offences as are not by law made triable by the United States courts. The reconstruction acts exempt no class of persons from their operation, and the duty of protecting *all* persons in their rights of person and property of necessity invests district commanders with control over the agents of the bureau, to the extent of at least enabling them to restrain these agents from any interference with, or disregard of, their prerogatives as district commanders. The district commanders are made responsible for the preservation of peace and the enforcement of the local laws within their districts; and they are the ones required to designate the tribunals before which those who break the peace and violate these laws shall be tried.

Such being the fact, many of the agents of the bureau seem not to be aware of it. In Texas some are yet holding courts, trying cases, imposing fines, taking fees for services, and arresting citizens for offences over which the bureau is not intended by law to have jurisdiction.

General Reynolds is aware of some of these cases, and is, as I have already mentioned, giving his attention to them.

In Louisiana, this state of affairs exists to a less extent, if at all.

I am, general, very respectfully, your obedient servant,

W. S. HANCOCK,

*Major General United States Army, Commanding.*

Major General O. O. HOWARD,

*Commissioner of Bureau R., F., and A. L.,*

*Washington, D. C.*

Official:

R. CHANDLER, *Captain 13th Infantry.*



HEADQUARTERS FIFTH MILITARY DISTRICT,  
New Orleans, February 27, 1868.

GENERAL: The major general commanding directs me to acknowledge receipt of your letter of the 12th instant, including a pamphlet containing the orders and circulars under which agents of the freedmen's bureau have acted in the adjudication and settlement of complaints and difficulties brought before them by freedmen, and in their treatment of crimes and offences alleged to have been committed in the State of Texas; and in reply to state, that those orders and circulars may have been in force under previous district commanders, but nothing therein contained inconsistent with the orders and instructions of the present commander will be sanctioned or practiced in this command, as those orders and instructions are in accordance with the law.

Very respectfully, your obedient servant.

R. CHANDLER,

*Captain and Assistant Secretary for Civil Affairs.*

Brevet Major General J. J. REYNOLDS,

*Assistant Commissioner Bureau R., F., and A. L.*

Official:

W. G. MITCHELL,

*Brevet Colonel and A. A. A. G.*

HEADQUARTERS FIFTH MILITARY DISTRICT,  
New Orleans, March 3, 1868.

GENERAL: The major general commanding directs me to acknowledge receipt of your draft of an order for the general information and guidance of agents of the freedmen's bureau and citizens in your command, proposed to be issued by you, and asking for my approval of the same, and in reply to state:

Paragraph two of the order imposes upon bureau agents the jurisdiction attached to the office of county judge and justice of the peace, under the laws of Texas, in cases where freed people are concerned.

Paragraph three of said order directs sheriffs and constables to execute all writs issued by bureau agents, the same as if such writs had issued from a civil court of the State.

Paragraph five of said order allows bureau agents to impose fines for violation of laws to the extent of \$100.

From the language of the third section of the reconstruction act of Congress, passed March 2, 1867, it is clear that the power of the district commander to designate the tribunals before which criminals shall be tried extends to all cases that may arise, and there is nothing in any other section of said act, or in those supplementary thereto, by which any exception to the rule here laid down is established.

The fourteenth section of the freedmen's bureau bill, passed July 16, 1866, refers merely to the legal capacity of the freedmen, and has no application to controversies between party and party, as to their rights and obligations, arising from contracts or other civil relations. But even if there be any repugnance between the acts of Congress, the last of course must prevail.

The civil rights bill approved April 9, 1866, is inapplicable to this question. As the law now stands, the authority of the district commander cannot be interfered with in any manner by the assistant com-



missioner of the freedmen's bureau, under the pretext that they are vested with jurisdiction in cases where freedmen are parties; and no such jurisdiction was ever delegated to them by any law of Congress except as above stated.

It having been heretofore frequently announced in orders and instructions from these headquarters that crimes and offences committed in this district must be referred to the consideration and judgment of the regular civil tribunals, the order in question forwarded by you is considered to be an interference with the authority of the district commander, and is disapproved.

I am, general, very respectfully, your obedient servant,  
R. CHANDLER,

*Captain 13th Inf., Ass't Sec'y Civil Affairs.*

Brevet Major General J. J. REYNOLDS,  
*Assistant Commissioner Bureau R., F., and A. L.*

Official :

R. CHANDLER,  
*Captain 13th Infantry.*

HEADQUARTERS FIFTH MILITARY DISTRICT,  
*New Orleans, Louisiana, March 9, 1868.*

SIR: Your communication of the 17th January last was received in due course of mail, (the 27th January,) but not until it had been widely circulated by the newspaper press. To such a letter, written and published for manifest purposes, it has been my intention to reply as soon as leisure from more important business would permit.

Your statement that the act of Congress "to provide for the more efficient government of the rebel States," declares that whatever government existed in Texas was provisional; that peace and order should be enforced; that Texas should be part of the fifth military district, and subject to military power; that the President should appoint an officer to command in said district, and detail a force to protect the rights of person and property, suppress insurrection and violence, and punish offenders, either by military commission, or through the action of local civil tribunals, as in his own judgment might seem best, will not be disputed. One need only read the act to perceive it contains such provisions. But how all this is supposed to have made it my duty to order the military commission requested, you have entirely failed to show. The power to do a thing, if shown, and the propriety of doing it, are often very different matters. You observe you are at a loss to understand how a government without representation in Congress, or a militia force, and subject to military power, can be said to be in the full exercise of all its proper powers. You do not reflect that this government, created or permitted by Congress, has all the powers which the act intends, and may fully exercise them accordingly. If you think it ought to have more powers, should be allowed to send members to Congress, wield a militia force, and possess yet other powers, your complaint is not to be preferred against me, but against Congress, who made it what it is.

As respects the issue between us, any question as to what Congress ought to have done has no pertinence. You admit the act of Congress authorizes me to try an offender by military commission, or allow the local civil tribunals to try, as I shall deem best; and you cannot deny

the act expressly recognizes such local civil tribunals as legal authorities for the purpose specified. When you contend there are no legal local tribunals for any purpose in Texas, you must either deny the plain reading of the act of Congress, or the power of Congress to pass the act.

You next remark that you dissent from my declaration "that the country (Texas) is in a state of profound peace," and proceed to state the grounds of your dissent. They appear to me not a little extraordinary. I quote your words: "It is true there no longer exists here (Texas) any organized resistance to the authority of the United States," "but a large majority of the white population who participated in the late rebellion are imbittered against the government, and yield to it an unwilling obedience." Nevertheless, you concede they do yield it obedience. You proceed: "None of this class have any affection for the government, and very few any respect for it. They regard the legislation of Congress on the subject of reconstruction as unconstitutional and hostile to their interests, and consider the government now existing here under authority of the United States as an usurpation on their rights. They look on the emancipation of their late slaves and the disfranchisement of a portion of their own class as an act of insult and oppression."

And this is all you have to present for proof that war and not peace prevails in Texas, and hence it becomes my duty (so you suppose) to set aside the local civil tribunals, and enforce the penal code against citizens by means of military commissions.

My dear sir, I am not a lawyer, nor has it been my business as it may have been yours to study the philosophy of statecraft and politics; but I may lay claim, after an experience of more than half a lifetime, to some poor knowledge of men, and some appreciation of what is necessary to social order and happiness, and for the future of our common country I could devoutly wish that no great number of our people have yet fallen in with the views you appear to entertain. Woe be to us whenever it shall come to pass that the power of the magistrate, civil or military, is permitted to deal with the mere opinions or feelings of the people. I have been accustomed to believe that sentiments of respect or disrespect, and feelings of affection, love, or hatred, so long as not developed into acts in violation of law, were matters wholly beyond the punitive power of human tribunals. I will maintain that the entire freedom of thought and speech, however acrimoniously indulged, is consistent with the noblest aspirations of man, and the happiest condition of his race.

When a boy I remember to have read a speech of Lord Chatham delivered in Parliament. It was during our revolutionary war, and related to the policy of employing the savages on the side of Britain. You may be more familiar with the speech than I am. If I am not greatly mistaken his lordship denounced the British government—his government—in terms of unmeasured bitterness. He characterized its policy as revolting to every sentiment of humanity and religion; proclaimed it covered with disgrace, and vented his eternal abhorrence of it and its measures. It may, I think, be safely asserted that a majority of the British nation concurred in the views of Lord Chatham. But who ever supposed that profound peace was not existing in that kingdom, or that government had any authority to question the absolute right of the opposition to express their objections to the propriety of the king's measures in any words or to any extent they pleased? It would be difficult to show that the opponents of government in the days of the elder Adams, or Jefferson, or Jackson, exhibited for it either "affection" or "respect." You are conversant with the history of our past parties and political struggles touching legislation on alienage, sedition, the embargo, national

banks, our wars with England and Mexico, and cannot be ignorant of the fact that for one party to assert that law or system of legislation is unconstitutional, oppressive or insulting to them, is of no consequence to the matter in hand. The President of the United States has announced his opinion that these acts of Congress are unconstitutional. The Supreme Court, as you are aware, not long ago decided unanimously that a certain military commission was unconstitutional. Our people everywhere, in every State, without reference to the side they took during the rebellion, differ as to the constitutionality of these acts of Congress. How the matter really is, neither you nor I may dogmatically affirm.

If you deem them constitutional laws and beneficial to the country, you not only have the right to publish your opinions, but it might be your bounden duty as a citizen to do so. Not less is it the privilege and duty of any and every citizen, wherever residing, to publish his opinion fully and fearlessly on this and every question which he thinks concerns his interest. This is merely in accordance with the principles of our free government, and neither you nor I would wish to live under any other.

It is time now, at the end of almost two years from the close of the war, we should begin to recollect what manner of people we are; to tolerate again free, popular discussion, and extend some forbearance and consideration to opposing views. The maxims that in all intellectual contests truth is mighty and must prevail, and that error is harmless when reason is left free to combat it, are not only sound, but salutary. It is a poor compliment to the merits of such a cause that its advocates would silence opposition by force, and generally those only who are in the wrong will resort to this ungenerous means. I am confident you will not commit your serious judgment to the proposition that any amount of discussion, or any sort of opinions, however unwise in your judgment, or any assertion or feeling, however resentful or bitter, not resulting in the breach of law, can furnish justification for your denial that profound peace exists in Texas. You might as well deny that profound peace exists in New York, Pennsylvania, Maryland, California, Ohio and Kentucky, where a majority of the people differ with a minority on these questions; or that profound peace exists in the House of Representatives or the Senate at Washington, or in the Supreme Court, where all these questions have been repeatedly discussed, and parties respectfully and patiently heard.

You next complain that in parts of the State (Texas) it is difficult to enforce the criminal laws; that sheriffs fail to arrest; that grand jurors will not always indict; that in some cases the military acting in aid of the civil authorities have not been able to execute the process of the courts; that petit jurors have acquitted persons adjudged guilty by you; and that other persons charged with offences have broke jail and fled from prosecution. I know not how these things are; but admitting your representations literally true, if for such reasons I should set aside the local civil tribunals and order a military commission, there is no place in the United States where it might not be done with equal propriety. There is not a State in the Union, north or south, where the like facts are not continually happening. Perfection is not to be predicated of man or his works. No one can reasonably expect certain and absolute justice in human transactions; and if military power is to be set in motion, on the principles for which you would seem to contend, I fear that a civil government, regulated by laws, could have no abiding place beneath the circuit of the sun. It is rather more than hinted in your letter that there is no local State government in Texas, and no local laws outside of the acts of Congress which I ought to respect; and that I

should undertake to protect the rights of persons and property in *my own way*, and in an *arbitrary manner*. If such be you meaning I am compelled to differ with you. After the abolition of slavery, (an event which I hope no one now regrets,) the laws of Louisiana and Texas, existing prior to the rebellion, and not in conflict with the acts of Congress, comprised a vast system of jurisprudence, both civil and criminal. It required not volumes only, but libraries to contain them. They laid down principles and precedents for ascertaining the rights and adjusting the controversies of men in every conceivable case. They were the creations of great and good and learned men, who had labored in their day for their kind, and gone down to the grave long before our recent troubles, leaving their works an inestimable legacy to the human race. These laws, as I am informed, connected the civilizations of past and present ages, and testified of the justice, wisdom, humanity, and patriotism of more than one nation, through whose records they descended to the present people of these States. I am satisfied, from representations of persons competent to judge, they are as perfect a system of laws as may be found elsewhere, and better suited than any other to the condition of this people, for by them they have long been governed. Why should it be supposed Congress has abolished these laws? Why should any one wish to abolish them? They have committed no treason, nor are hostile to the United States, nor countenance crime, nor favor injustice. On them, as on a foundation of rock, reposes almost the entire superstructure of social order in these two States. Annul this code of local laws and there would be no longer any rights either of persons or property here. Abolish the local civil tribunals made to execute them and you would virtually annul the laws, except in reference to the very few cases cognizable in the federal courts. Let us for a moment suppose the whole local civil tribunal annulled, and that I am left, as commander of the fifth military district, the sole fountain of law and justice. This is the position in which you would place me. I am now to protect all rights, and redress all wrongs. How is it possible for me to do it? Innumerable questions arise of which I am not only ignorant, but to the solution of which a military court is entirely unfitted. One would establish a will, another a deed; or the question is one of succession, or partnership, or descent, or trust; a suit of ejectment or claim to chattels; or the application may relate to robbery, theft, arson, or murder. How am I to take the first step in any such matter? If I turn to the acts of Congress I find nothing on the subject. I dare not open the authors on the local code, for it has ceased to exist.

And you tell me in this perplexing condition I am to furnish, by dint of my own hasty and crude judgment, the legislation demanded by the vast and manifold interests of the people! I repeat, sir, that you, and not Congress, are responsible for the monstrous suggestion that there are no local laws or institutions here to be respected by me outside the acts of Congress. I say unhesitatingly if it were possible that Congress should pass an act abolishing the local codes for Louisiana and Texas—which I do not believe—and it should fall to my lot to supply their places with something of my own, I do not see how I could do better than follow the laws in force here prior to the rebellion, excepting whatever therein shall relate to slavery. Power may destroy the forms but not the principles of justice; these will live in spite even of the sword. History tells us that the Roman Pandects were lost for a long period among the rubbish that war and revolution had heaped upon them, but at length were dug out of the ruins again to be regarded as a priceless treasure.

You are pleased to state that "since the publication of (my) General

Orders No. 40, there has been a perceptible increase of crime and manifestation of hostile feeling towards the government and its supporters," and add that it is "an unpleasant duty to give such a recital of the condition of the country." You will permit me to say that I deem it impossible the first of these statements can be true, and that I do very greatly doubt the correctness of the second. General Orders No. 40 was issued at New Orleans, November 29, 1867, and your letter was dated January 17, 1868. Allowing time for Order No. 40 to reach Texas and become generally known, some additional time must have elapsed before its effect would be manifested, and a yet further time must transpire before you would be able to collect the evidence of what you term "the condition of the country;" and yet after all this you would have to make the necessary investigations to ascertain if Order No. 40, or something else was the cause. The time therefore remaining to enable you, before the 17th of January, 1868, to reach a satisfactory conclusion on so delicate and nice a question, must have been very short. How you proceeded, whether you investigated yourself or through third persons, and if so, who they were, what their competency and fairness, on what evidence you rested your conclusion, or whether you ascertained any facts at all, are points upon which your letter so discreetly omits all mention, that I may well be excused for not relying implicitly upon it; nor is my difficulty diminished by the fact that in another part of your letter you state that ever since the close of the war a very large portion of the people have had no affection for the government, but bitterness of feeling only. Had the duty of publishing and circulating through the country, long before it reached me, your statement that the action of the district commander was increasing crime and hostile feeling against the government, been less painful to your sensibilities, it might possibly have occurred to you to furnish something on the subject in addition to your bare assertion.

But what was Order No. 40, and how could it have the effect you attribute to it? It sets forth that "the great principles of American liberty are still the inheritance of this people, and ever should be." "That the right of trial by jury, the *habeas corpus*, the liberty of the press, the freedom of speech, and the natural rights of person and property must be preserved." Will you question the truth of these declarations? Which one of these great principles of liberty are you ready to deny and repudiate? Whoever does so avows himself the enemy of human liberty and the advocate of despotism. Was there any intimation in General Orders No. 40 that any crimes or breaches of law would be countenanced? You know that there was not. On the contrary, you know perfectly well that while "the consideration of crime and offences committed in the fifth military district was referred to the judgement of the regular civil tribunals," a pledge was given in Order No. 40, which all understood, that tribunals would be supported in their lawful jurisdiction, and that "forceable resistance to law would be instantly suppressed by arms." You will not affirm that this pledge has ever been forfeited. There has not been a moment since I have been in command of the fifth district, when the whole military force in my hands has not been ready to support the civil authorities of Texas in the execution of the laws, and I am unwilling to believe they would refuse to call for aid if they needed it.

There are some considerations which, it seems to me, should cause you to hesitate before indulging in wholesale censures against the civil authorities of Texas. You are yourself the chief of those authorities, not elected by the people, but created by the military. Not long after you had thus come into office, all the judges of the supreme court of Texas, five in number, were removed from office and new appointments made; twelve of the

seventeen district judges were removed and others appointed; county officers, more or less, in 75 out of 128 counties were removed and others appointed in their places. It is fair to conclude that the executive and judicial civil functionaries in Texas are the persons whom you desired to fill the offices. It is proper to mention, also, that none but registered citizens, and only those who could take the test oath, have been allowed to serve as jurors during your administration. Now it is against this local government, created by military power prior to my coming here, and so composed of your personal and political friends, that you have preferred the most grievous complaints. It is of them that you have asserted they will not do their duty, they will not maintain justice, will not arrest offenders, will not punish crimes, and that out of 100 homicides committed in the last 12 months, not over 10 arrests have been made; and by means of such gross disregard of duty, you declare that neither property nor life is safe in Texas.

Certainly you could have said nothing more to the discredit of the officials who are now in office. If the facts be as you allege, a mystery is presented for which I can imagine no explanation. Why is it that your political friends, backed up and sustained by the whole military power of the United States in this district, should be unwilling to enforce the laws against that part of the population lately in rebellion, and whom you represent as the offenders? In all the history of these troubles, I have never seen or heard before of such a fact. I repeat if the fact be so, it is a profound mystery, utterly surpassing my comprehension. I am constrained to declare that I believe you are in very great error as to facts. On careful examination at the proper source, I find that at the date of your letter four cases only of homicides had been reported to these headquarters as having occurred since November 29, 1867, the date of Order No. 40, and these cases were ordered to be tried or investigated as soon as the reports were received. However, the fact of the 100 homicides may still be correct, as stated by you. The Freedmen's Bureau in Texas reported 160; how many of these were by Indians and Mexicans, and how the remainder were classified, is not known; nor is it known whether these data are accurate. The report of the commanding officer of the district of Texas shows that since I assumed command no applications have been made to him by you for the arrest of criminals in the State of Texas. To this date, 18 cases of homicides have been reported to me as having occurred since November 29, 1867, although special instructions had been given to report such cases as they occur. Of these, five were committed by Indians; one by a Mexican; one by an insane man; three by colored men; two women by their husbands; and of the remainder, some by parties unknown, all of which could be scarcely attributable to Order No. 40. If the reports received since the issuing of Order No. 40 are correct, they exhibit no increase of homicides in my time, if you are correct that 100 had occurred in the past 12 months.

That there has not been a perfect administration of justice in Texas, I am not prepared to deny. That there has been no such wanton disregard of duty on the part of officials, as you allege, I am well satisfied. A very little while ago you regarded the present officials in Texas the only ones who could be safely trusted with power. Now you pronounce them worthless and would cast them aside.

I have found little else in your letter but indications of temper, lashed into excitement by causes which I deem mostly imaginary, a great confidence in the accuracy of your opinions, and an intolerance of the opinions of others, a desire to punish the thoughts and feelings of those who differ with you, and an impatience which magnifies the shortcomings of officials



who are, perhaps, as earnest and conscientious in the discharge of their duties as yourself, and a most unsound conclusion that while any persons are to be found wanting in *affection* or *respect* for the government, or yielding it *obedience* from *motives which you do not approve*, war, and not peace, is the *status*, and all such persons are the proper subjects for military penal jurisdiction.

If I have written anything to disabuse your mind of so grave an error, I shall be gratified.

I am, sir, very respectfully, your obedient servant,

W. S. HANCOCK,  
*Major General Commanding.*

His Excellency E. M. PEASE,  
*Governor of Texas.*

Official:

R. CHANDLER,  
*Captain, Assistant Secretary for Civil Affairs.*

EXECUTIVE OF TEXAS,  
*Austin, Texas, January 17, 1868.*

SIR: Your letter of the 28th of December, 1867, was received at this office on the 11th instant. I think it my duty to reply to some portions of it, lest my silence should be construed into an acquiescence in the opinions expressed therein in regard to the condition of Texas and the authority of the civil provisional government now existing here.

I dissent entirely from the declaration that "the State government of Texas, organized in subordination to the authority of the United States, is in full exercise of all its proper powers." The act of Congress "to provide for the more efficient government of the rebel States" expressly declares in its preamble that no legal State government or adequate protection of life or property now exists in Texas, and it is necessary that peace and good order should be enforced in said State until a loyal and republican State government can be legally established. It then provides that Texas shall be subject to the military authority of the United States, and shall constitute a part of the fifth military district. It also directs the President to assign to the command of that district an officer of the army not below the rank of brigadier general, and to detail a sufficient military force to enable such officer to perform his duties and enforce his authority; and makes it the duty of such officer to protect all persons in their rights of person and property, to suppress insurrection, disorder, and violence, and to punish, or cause to be punished, all disturbers of the public peace and criminals; and to this end he may allow local civil tribunals to take jurisdiction of and try offenders; or when in his judgment it may be necessary for the trial of offenders, he shall have power to organize military commissions or tribunals for that purpose; and also declares that interference under color of State authority with the exercise of military authority under said act shall be null and void.

This act further provides that until the people of Texas shall be by law admitted to representation in the Congress of the United States, any government that may exist therein shall be deemed provisional only, and in all respects subject to the paramount authority of the United States at any time to abolish, modify, control, or supersede the same.

The supplementary act of July 19, 1867, declares it to have been the true intent and meaning of the original act and the supplementary act of the 23d of March, 1867, that the government then existing in Texas

was not a legal State government, and that thereafter said government, if continued, was to be continued subject in all respects to the military commander of the district, and the paramount authority of Congress.

The reasonable construction of these provisions of the act of Congress referred to would seem to be that Texas is placed under a military government, of which the chief officer is the commander of the fifth military district, and that whatever civil government there is in Texas is provisional only, subject to said military commander and the paramount authority of Congress, and exists only by their sufferance as a part of the machinery through which the military authority of the United States is exercised. This construction is supported by the acts of the successive commanders of the fifth military district, and their correspondence with this office from the time they first assumed command in March, 1867, until quite recently. They have exercised the right of removing and appointing at their pleasure the officers of this civil provisional government, (with the exception of the few that are appointed by the governor,) and of filling by appointments all vacancies in offices heretofore filled by an election by the people of Texas. They have also at pleasure exercised the right to abolish, modify, control, and supersede the laws heretofore enacted, as well as the proceedings and judgments of the courts. They have also, at their pleasure, made arrests for violations of the criminal laws. It is true that they have permitted the officers of this civil provisional government, except the legislature, to perform their duties as prescribed by the laws of Texas, but in subordination to their orders and the laws of the United States.

I am at a loss to understand how a government, without representation in Congress and without a militia force, with such limited powers, and thus subject to be further limited and changed at pleasure by the military commander of the district, can, with any propriety, be called a State government organized in subordination to the authority of the government of the United States, and in full exercise of all of its proper powers.

I also dissent from the declaration that "at this time the country is in a state of profound peace." Texas cannot properly be said to be in a state of profound peace. It is true that there no longer exists here any organized resistance to the authority of the United States; but a large majority of the white population, who participated in the late rebellion, are embittered against the government by their defeat in arms and loss of their slaves, and yield to it an unwilling obedience, only because they feel that they have no means to resist its authority. None of this class have any affection for the government, and very few of them have any respect for it. They regard the legislation of Congress on the subject of reconstruction as unconstitutional and hostile to their interests, and consider the government now existing here, under the authority of the United States, as usurpation on their rights. They look upon the enfranchisement of their late slaves and the disfranchisement of a portion of their own class as an act of insult and oppression.

This state of feeling against the government and its acts by a large majority of the white population, who have heretofore exercised the political power of Texas, combined with the demoralization and impatience of restraint by civil authority that always follows the close of great civil wars, renders it extremely difficult to enforce the criminal laws in those portions of the State which are most densely occupied, and often impossible to do so in those parts of the State which are sparsely settled. A knowledge of this state of affairs induces many to redress their fancied wrongs and grievances by acts of violence.

It is a lamentable fact that over 100 cases of homicide have occurred



in Texas within the last 12 months, while not one-tenth of the perpetrators have been arrested, and less than one-twentieth of them have been tried.

Within the last few months United States officers and soldiers have been killed while in the discharge of their duties, and in no case have those who committed these offences been tried or punished. In these cases the most strenuous efforts were made by the military authorities to arrest the guilty parties, but without success, although they were well known.

It often happens that when the civil officers of a county are disposed to do their duty, and endeavor to make arrests, they are unable to do so because they are not properly sustained by the citizens of the county, and when arrests are made a large portion of the offenders escape from custody, because there are no secure jails for their confinement, and the county authorities have not the means to pay for the proper guards. Several cases have come to my knowledge in which sheriffs failed entirely to arrest parties who had been indicted, although they remained in the county for months.

Grand juries often fail to find indictments when they ought to do so, and petit juries as often fail to convict offenders, in cases where the evidence is conclusive. Hence it results that in many cases offenders escape punishment when the magistrates and sheriffs do their duty.

It is by no means charged that all who took part in the rebellion participate in or approve the many outrages and acts of violence which are perpetrated in Texas without punishment. A large majority disapprove and deplore this state of affairs; few of them, however, give any active aid in the enforcement of the criminal laws.

All good citizens feel and acknowledge that there is but little security for life in Texas beyond what each man's personal character gives him. Many loyal citizens have expressed the opinion that it would have a good effect upon the community if some of the perpetrators of aggravated crimes, like that in Uvalde county, where the difficulty of keeping the prisoners in confinement rendered it highly probable that they would escape, and where the sparseness of population made it so difficult to procure a jury, that it was considered almost certain that the parties would never be tried by the civil courts, should be brought before a military commission. In this opinion I fully concur, and it was for this reason that I made the recommendation.

The condition of affairs here was much worse before the establishment of the present military government than it has been since. The fear of arrest by the military authorities and a trial by a military commission has had some effect in deterring lawless men from the commission of crime, but I am constrained to say that since the publication of General Orders No. 40, of 29th November, 1867, from headquarters fifth military district, there has been a perceptible increase of crime, and manifestations of hostile feelings toward the government and its supporters.

It is an unpleasant duty to give such a recital of the condition of the country. But the reports and correspondence on file in the offices of the Freedmen's Bureau and of the military commanders in Texas, since the close of the rebellion, will prove the truth of what is stated here.

In my communications with the previous commanders of the fifth military district, orally and in writing, I have frequently given them my views in regard to the powers of the present civil provisional government of Texas, and also in regard to the condition of affairs here, and the great difficulty and sometimes impossibility of executing the laws for the prevention and punishment of crime and the preservation of the public peace.

If all these matters had been known to the commanding general fifth military district, his surprise might not have been excited that a civil magistrate of Texas, who is desirous to preserve peace and good order, and to give security to person and life, should have applied to him as the chief officer to whom the government of Texas is intrusted by the laws of the United States to do by military authority what experience had proved cannot be effectually done by the officers of Texas, with the limited means and authority with which they are invested by law.

I am sir, with great respect, your obedient servant,

E. M. PEASE.

Brevet Lieut. Col. WM. G. MITCHELL,  
*Secretary of Civil Affairs.*

Official:

R. CHANDLER,  
*Captain 13th Infantry.*

HEADQUARTERS FIFTH MILITARY DISTRICT,  
OFFICE OF SECRETARY FOR CIVIL AFFAIRS,  
*New Orleans, Louisiana, December 4, 1867.*

GENERAL: I desire to know if in appointing municipal officers to fill vacancies I am absolutely restricted to those who can take the oath prescribed by the act of Congress, approved July 2, 1862, and published in General Orders No. 80 from the War Department, Adjutant General's office, July 16, 1862.

The municipal offices of the city are in a lamentable condition. Many of the best men, having the interest of the city at heart, are, I believe, inclined to co-operate with me in restoring its affairs; but if I am restricted in this matter to those who can take the oath indicated, it will be impossible, I believe, to find a sufficient number of the best persons, otherwise good men, whose services can be relied on. The poor here are the sufferers.

Earnest and pressing demands are made for relief. The great difficulty is in the mode. It would be folly in me, I believe, to enter into details, assuming to the military the responsibility of any failure in regulating the currency by arbitrary orders affecting it in details.

I know of no better remedy at present than in filling the council with the best men of the city, and yet those who have no disloyal sentiments. This matter of the currency in New Orleans is of the last importance, and my attention to it has been demanded from all sources; from the governor, the mayor and city council, and the public.

Before action I desire information, and an early reply is requested.

Very respectfully, your obedient servant,

WINFIELD S. HANCOCK,

*Major General United States Army, Commanding.*

General U. S. GRANT,  
*Commanding Armies of the United States.*

Official:

R. CHANDLER,  
*Captain 13th Infantry.*

HEADQUARTERS FIFTH MILITARY DISTRICT,  
OFFICE OF SECRETARY FOR CIVIL AFFAIRS,  
*New Orleans, Louisiana, December 11, 1867.*

GENERAL: In connection with my letter of December 4, I desire to state that in making appointments I have been entirely guided by the

provisions of section 9, of the supplementary reconstruction act, and have selected only such men as have been represented to me as able to take the oath prescribed by act of Congress, approved July 2, 1862. This appears to me to be the only interpretation of the section referred to. In my letter of the 4th instant I omitted to state that such has been my course of action. It is, however, true that in restricting my appointments to those able to take this oath, I include some of the very best men, who, by experience and ability are in many instances particularly qualified for certain positions which it becomes my duty to fill. I shall, however, require all persons appointed by me to civil offices in this district to take the oath referred to, until and unless I hear from you that a proper interpretation of the supplementary reconstruction act, would permit me to depart from my views, in exceptional cases, as referred to in my previous letter on this subject.

Very respectfully, your obedient servant,

WINFIELD S. HANCOCK,

*Major General United States Army, Commanding.*

General U. S. GRANT,

*Commanding Armies of the United States.*

Official:

R. CHANDLER,

*Captain 13th Infantry.*

HEADQUARTERS FIFTH MILITARY DISTRICT,

OFFICE OF SECRETARY FOR CIVIL AFFAIRS,

*New Orleans, Louisiana, January 7, 1868.*

SIR: I am directed by the major general commanding to acknowledge the receipt of your communication of the 24th ultimo, requesting to be informed whether deputy clerks of district courts in Texas are required to take the "test oath," and to state that under section 9 of the supplementary reconstruction act, passed July 19, 1867, *all persons* elected or appointed to office under State authority are required to take the test oath. Deputy clerks are required to take such oath as all principals are required to do.

Very respectfully, your obedient servant,

W. G. MITCHELL,

*Bvt. Lieut. Col. U. S. A., Secretary for Civil Affairs.*

JOHN B. WIGGINS, Esq.,

*Cherokee, Texas.*

Official:

R. CHANDLER,

*Captain 13th Infantry.*

## REPORT OF GENERAL McDOWELL, DEPARTEENT OF THE EAST.

HEADQUARTERS DEPARTMENT OF THE EAST,

*New York City, October 28, 1868.*

SIR: I have the honor to submit the following, in compliance with the instructions from division headquarters of the 9th instant:

I assumed command of the department on the 16th of July, and trans-

ferred headquarters from Philadelphia to New York in obedience to General Orders No. 44, of July 13, 1868. Since that date there has been no movement of troops within the department. Prior thereto the following changes were made:

On the 30th of November, 1867, company A, 3d artillery, left Fort Independence, Massachusetts, for Fort Monroe, Virginia.

On the 17th December, 1867, company I, 42d infantry, was organized and stationed at Madison barracks.

On the 18th of December, 1867, company G, 1st artillery, left Fort Schuyler, New York harbor, for Fort Monroe, Virginia.

January 2, 1868, Major General Meade was relieved in command of the department by Brevet Major General T. W. Sherman, colonel 3d artillery.

January 8, 1868, Company K, 42d infantry, was organized and stationed at Madison Barracks.

May 15, Fort Lafayette, New York harbor, was discontinued as a garrisoned post, and company C, 1st artillery, was transferred to Fort Hamilton, New York harbor. May 16, Fort Constitution, New Hampshire, was discontinued as garrisoned post, and company I, 3d artillery, was transferred to Fort Warren, Massachusetts.

May 5 and 7, company D, 42d infantry, transferred from Fort Ontario to Madison barracks, exchanging station with company F, same regiment.

I send herewith reports from the chiefs of the several staff departments of these headquarters. The suggestions of the chief commissary of subsistence and the medical director have received due attention.

The troops on the Niagara and northern frontier of New York have been charged with aiding the proper authorities in preserving the peace with the British possessions, and no infraction of it has occurred during the year. Officers have been sent on several occasions to inspect the frontier and see what, if anything, was in preparation with a view to an infringement of our neutrality laws. Their reports were all favorable to the quiet of the frontier within the department.

The troops on the sea-coast are stationed in small numbers in some of the principal works, and many of them have been much engaged in dismounting and replacing the old and out-of-use armament with the rifled and heavy smooth-bore guns.

In the forts I have inspected personally since I have been in command I have found the troops in good condition as to drill, discipline, and military instruction.

In this connection I beg to call attention to a subject gravely affecting our sea-coast defences. The whole subject of the construction of these works is in the hands of the engineer department, and very properly, for it is, among other things, their peculiar and especial department to build fortifications; but is it not a defect that the corps, (the ordnance department,) whose duty it is just as especially to provide the armament for these fortifications, and the corps whose duty it is just as especially to use that armament in these works, have neither of them any voice or part whatever in the deliberations which precede and fix where they shall be built; or what purposes they should be made to fulfil; or how they should be made to fulfil them? It seems to me it must strike any intelligent person, to whom the subject shall be presented for the first time, as an anomaly that those who have to apply these works to the uses for which they were built have never been consulted in reference to them. I mean no reflection on any department in assuming that the officers of the artillery know better than any others what they especially

need—certainly in *some particulars* in the defences to be prepared for them; and as the part to be played in using a *sea-coast* work after it is built is more one for the artillerist than the engineer, I think the interests of the service require that the former's part in the matter should commence with the latter's, and be concurrent with him to the end. This will be apparent in considering the subject of the use of the 15 and 20-inch guns. It is evident the best results with this heavy ordnance are to be had by the aid of steam, either applied immediately or mediately by the use of compressed air. This view, which I have entertained for several years, is, I understand, also that of some distinguished officers of engineers and ordnance. To apply it will need the engineer officer, for it affects the plan of the entire work; but the making of the *gun* itself, and the machinery by which it is to be moved, belongs to the ordnance department, and the manœuvring of it after it is made and mounted belongs to the artillery. Should not each be represented on the board that determines all the questions arising out of its intended use?

I ask favorable consideration of some plan by which refractory and badly-behaved soldiers may be separated from their company and subjected to a severer discipline than will then be necessary for the rest of the service. Whether this be done, as recommended in the last annual report of the department commander, by means of a penal post in the department, or by organizing a disciplinary company or companies out of it, or by both, it will be a benefit to the service and a great relief to the well-disposed soldier. If this plan is good for this command will it not apply to the whole service? And if it does, would it not be worth while to have the subject taken up by a board of proper officers and some general plan suggested?

I have the honor to be, very respectfully, your most obedient servant,  
 IRVIN McDOWELL,  
*Brevet Major General Commanding Department.*

The ACTING ASSISTANT ADJUTANT GENERAL,  
*Headquarters Division of the Atlantic, New York, N. Y.*

P. S.—Since writing and signing the foregoing I have received, in compliance of instructions to him to that effect, the accompanying report from Brevet Major General T. W. Sherman, colonel 3d artillery, who commanded the department from January 2 to July 16, 1868.

I. McD., B. M. G.

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HEADQUARTERS THIRD ARTILLERY,  
*Fort Adams, Rhode Island, October 26, 1868.*

SIR: I have the honor to acknowledge the receipt of your letter of the 15th instant, and in accordance with its requirements to report that I assumed command of the department of the East on the 2d of January last, and was relieved therefrom by Brigadier and Brevet Major General McDowell on the 16th of July.

The following is a summary of the operations of the department during that period, as far as in my power to render it in the absence of the department records:

At the time of assuming command the troops in the department were distributed as follows:

*1st regiment of artillery.*—Headquarters and two companies at Fort Hamilton, New York; one company at Fort Lafayette, New York; one

company at Fort Wadsworth, New York; two companies at Fort Schuyler, New York; two companies at Fort Trumbull, Connecticut; one company at Fort Porter, New York.

*3d regiment of artillery.*—Headquarters and three companies at Fort Adams, Rhode Island; two companies at Fort Warren, Massachusetts; one company at Fort Independence, Massachusetts; one company at Fort Constitution, New Hampshire; one company at Fort Preble, Maine; one company at Fort Sullivan, Maine.

*42d regiment of infantry, (invalid.)*—Headquarters and five companies at Madison barracks, New York; one company at Fort Ontario, New York; one company at Fort Porter, New York; one company at Fort Niagara, New York; two companies at Plattsburg barracks, New York.

The movements of troops and changes during this period were:

The company of artillery at Fort Lafayette transferred to the headquarters of the regiment, at Fort Hamilton.

The company of artillery at Fort Constitution, New Hampshire, transferred to Fort Warren, Massachusetts.

The infantry company at Fort Ontario exchanged with a company of the same regiment at Madison barracks.

The headquarters of the department were transferred from Philadelphia to New York city on Brevet Major General McDowell assuming the command.

The above transfers of the two artillery companies were recommended; one of them, especially, on the ground of disciplinary necessity, and both of them on the general ground that the artillery regiments should, in time of peace, be so far concentrated, for the purposes of practical and scientific instruction, as the actual necessities of the service at the permanent fortifications will admit. It is respectfully submitted, in this connection, as a grave question, whether the present small garrison of Fort Independence, Massachusetts, should not be sent to Fort Adams or Fort Warren, and that work left to the charge of the ordnance sergeant, under the protection of the commanding officer of Fort Warren, as Fort Lafayette is now left under that of the commanding officer of Fort Hamilton, and a guard regularly exchanged; and also, whether the company of artillery, now at Fort Sullivan, should not be given a like destination, and the post of Fort Sullivan, contiguous to the British line, be garrisoned by an infantry company, say one of the invalid, whose regiment it is supposed will never take the open field, and whose instruction, therefore, may be very safely confined to that of an isolated company. An artillery company can get no extensive practical instruction at this post, where there is no variety of ordnance, and where a shot from a fixed battery can seldom or never be fired in time of peace, without violating the laws of neutrality. The change of the garrison of Fort Ontario was recommended on the ground alone of disciplinary necessity.

A thorough investigation was made in June, by order of the President, into the grounds of the rumors and prevailing belief in Canada, as represented by Lord Monck, in a contemplated violation of the neutrality laws on our northern frontier, by the so-called Fenians; and a full report thereon, concluding that the fears of the Canadians were without any just grounds, was forwarded to the War Department, through the proper channel, on the 26th of June.

Judicial affairs in the department were conducted in a generally satisfactory manner. The records of regimental and garrison courts were, with some few exceptions, forwarded promptly to department headquar-

ters for the required supervision, and it was ascertained, with but few grave exceptions, that the duties of members and revising officers were satisfactorily understood and acted upon. Cases meriting trial by a general court-martial were submitted, when not practically inconvenient, to the standing general court, in New York city, in pursuance of the system adopted by the previous commander. In a few cases special general courts were instituted. The trials before these courts were, in general, conducted and recorded in a very satisfactory manner, and it is felt a duty to here accord to the general court, of which Brevet Major General Harvey Brown was, and is still, president—a court composed generally of some of the most worthy veterans of the army—the merit of that degree of industry, solid judicial acquirement, judgment and discrimination, which can be positively found only among able, experienced, and war-worn veterans.

The number of trials by general courts-martial was 246; of these, were commissioned officers, 6; enlisted men, 240. But this number of trials, within so short a period by no means indicates the exact state of discipline in the department, inasmuch as 97 of these cases were submitted to the department commander for trial, by the superintendents of the general and mounted recruiting service—a branch of the army wholly outside of the executive control of the department commander.

Much of the period was consumed by the department commander and some of his staff in the investigation of claims of volunteer soldiers for an honorable discharge, and kindred subjects, submitted by the War Department or headquarters of the army. The number of cases examined and reported on was 216; number, after investigation, granted an honorable discharge, was 127; number dishonorably discharged, 89.

A complete tour of inspection was made by the inspector general of the department, and in addition thereto, an inspection of all the posts on the lakes was made in June by the department commander. From the inspector general's report the discipline and instruction were quite satisfactory, excepting those of two posts, to which a prompt remedy was applied. But from my own observation at the posts on the lakes, I did not consider that that attention had been given to the new system of infantry which the time and means employed demanded. I shall, however, except the small battalion at Plattsburg barracks, which seemed about all that could be desired.

But the most important element of military instruction, to be considered in time of peace, is that of the artillery. Any man of ordinary industry and ability, whether a professional one or not, can instruct infantry troops, and render them available for service in a short time. But it is otherwise with the artillery; the proper and efficient practice of the arm, in all its varieties and ramifications, depending much upon some knowledge of the science of ballistics in its most improved state, which involves all the general laws of mechanics. The small, regular artillery, should be regarded and maintained as an instructive centre, from which will radiate a halo of light and easy insight, over the raw and uninstructed masses of volunteer artillery, suddenly brought into service, at the first outbreak of war, and which compose the bulk of our artillery in the field. The experience of the first years of the late war is alone sufficient to justify this remark. I was not, therefore, regardless of this subject, but time did not permit me to make any personal inspection of the artillery regiments in the short period of command. I am not, therefore, fully prepared to report to what degree the present system of instruction is answering its purposes.

But, as a regimental commander, I am convinced that under the pres-



ent system of regimental command the regimental commanders do not have that control over any portion of their regiments but that under their immediate command, which can hold them to that responsibility for the instruction and efficiency in their specialty which the General Orders No. 67, headquarters of the army, series of 1866, seems to intend.

The number of desertions in the department seems to have considerably diminished in the past year; but this is owing, undoubtedly, to the organizations not having been replenished with recruits, and to the fact that the most of those of former supply, disposed to desert, had already done so, rather than to any inherent improvement in the hearts of the soldiery, or to any decided removal of the cause, whatever that may be.

As to any decided improvement of the discipline of the army, so much to be desired, I do not think it will be realized as long as some mode is not devised and pursued to give the sentences of courts a more complete effect than now, and make convicts believe that they are convicts indeed.

The system of companies of discipline, recommended last year by the General-in-chief, would seem to be all that could be desired in radically improving the discipline of the army, and it would really seem to me as futile to make any attempt to recommend a better one.

Very respectfully your obedient servant,

T. W. SHERMAN,

*Brevet Major General U. S. A., Col. 3d Art'y.*

The ASSISTANT ADJUTANT GENERAL,

*Headquarters Department of the East, New York City.*

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HEADQUARTERS DEPARTMENT OF THE EAST,

INSPECTOR GENERAL'S OFFICE,

*New York, October 15, 1868.*

MAJOR: In obedience to circular from headquarters department of the east of October 12, 1868, I have the honor to furnish herewith a succinct statement of the operations of the inspector general's department, department of the east, for the year ending September 30, 1868.

There have been two general and thorough inspections made by myself of the posts, troops, hospitals, post quartermasters, post commissaries, and the fortifications, under the control of the major general commanding the department of the east, within the period indicated in the above-mentioned circular, and one special inspection of matters connected with the posts of Forts Trumbull, Adams, Independence, Warren, Preble, and Sullivan.

The general inspections above referred to were of the most searching, critical, and thorough character into all matters coming under the requirements of existing laws, orders, and regulations made and in force for the government of the military establishment. They extended to the careful inspection of all the various commands stationed at the different posts (sixteen in number) as regarded every essential pertaining to the military instruction of the officers and enlisted men in drill, discipline, equipment, and supplies of all sorts; the examination of all prescribed books, papers, and military duties required to be kept and performed by officers and the troops under them belonging to posts, regiments, and companies within the department, and under the supervision and control of the major general commanding; the careful inspection of the official transactions and operations of the medical department and its officers belong-



ing to the department of the east, inclusive of the condition of hospitals, the care and wants of the sick, and the critical examination of all books, papers, records, and duties of any one connected therewith; the minute and thorough examination into the transactions, operations, and duties performed by post quartermasters, and post commissaries of subsistence, with an examination of their books, papers, and records in every instance; and finally, the inspection of and critical examination into every matter pertaining to fortifications, public works, buildings, means of transportation, public property of every kind, and the official responsibilities of all official persons in any way connected therewith.

These general inspections cover the direct and personal inspection or other critical investigation, by the assistant inspector general, into something like 988 specific and distinct points of inquiry at each post garrisoned by a single company, and about 374 additional points for every additional company at each of the 16 posts inspected and garrisoned by parts of the 1st, 3d, and 4th artillery, and 42d infantry; thus demanding the inspection and other investigation of something over 18,000 points of inquiry, demanded by existing laws, orders, and regulations in each of these general inspections of the department of the east, all of which work was faithfully performed, and corrections made where abuses were detected, and official reports of the same always made to the department commander and the War Department in general or specific form, as seemed advisable.

The special inspection before-mentioned had reference to specific questions which arose at the points mentioned hereinbefore.

An investigation was conducted in March, 1868, at Kennebec arsenal into certain charges brought in an anonymous communication addressed to General Grant, commanding the army of the United States, against Captain and Brevet Lieutenant Colonel D. H. Buel, United States ordnance department.

Another investigation was conducted at Kennebec arsenal in September, 1868, relative to the causes of certain fires which took place at that arsenal on the 9th day of July, and 5th day of August, 1868. These two investigations consumed over a month, and the latter resulted in the discovery of three of the incendiaries who set fire to the government buildings at the arsenal, and the former established the falsity of the charges brought against Brevet Lieutenant Colonel D. H. Buel in the anonymous communication.

In December, 1867, an investigation was conducted in obedience to instructions from the Adjutant General's office, relative to the claim of Pruner & Burley against the United States, for certain lumber furnished by that firm for the erection of barracks at Camp Crossman, near Huntingdon, Pennsylvania. In April, 1868, an investigation was conducted in Hudson county, New Jersey, relative to the reliability of the evidence of one Gottlieb Dieter, late a sergeant of company C, 7th regiment of New York volunteers, as set forth in his affidavit regarding the death by starvation, &c., on the 22d day of February, 1865, at Salisbury, North Carolina, of one Frederick Blatter, late a private of company B, 7th regiment of New York volunteers. And during the same month another investigation was made in Manlius, Onondaga county, New York, relative to the reliability of the evidence of one Horace C. White, late a private of company K, 40th regiment New York volunteers, as set forth in his affidavit regarding the death by wounds in the battle of the Wilderness on the 6th day of May, 1864, of one Charles W. Hiltz, of the same company and regiment.

In May, 1868, the following investigations were conducted, first, relative

to certain deficiencies of clothing sent from the United States clothing depot at Schuylkill arsenal, Philadelphia, Pennsylvania, to Captain and Brevet Major A. K. Arnold, 5th United States cavalry, assistant quartermaster at West Point. This investigation involved the examination of witnesses both at Schuylkill arsenal and at West Point; second, two investigations in New York city, one relative to the reliability of the evidence of R. G. L. Duffenback, as set forth in his affidavit, regarding the death of private Henry Kurspel, company H, 5th cavalry, acting hospital steward, and the other relative to the credibility of William Eccleston, George B. McCormick, and John Eccleston, affiants in the claim of William Eccleston for bounty; third, an investigation in Ulster county, New York, relative to the reliability of John P. Shurter, John C. Terwilliger, and Moses Pilen, regarding the death of Levi Perkins; fourth, an investigation in Clinton county, New York, relative to the reliability of D. H. Dumas and Suplion Sampica, who testified to the death of Merrett Phelps, late private of company A, 96th regiment New York volunteers; fifth, an investigation in Albany, New York, regarding the death of Private James Wallace, late a private of company E, 7th New York volunteers.

To each and all of these full and satisfactory reports were made to the department commander, and the evils of the service wherever involved corrected. In addition to the foregoing duties and labors performed by the assistant inspector general of the department of the East, may properly be mentioned a large quantity of public property presented for condemnation, each article of which had to be and actually was personally examined and passed upon, and proper reports relative to its disposition forwarded, and finally the attention to and proper performance of all immediate office duties in anywise connected with requirements of the inspector general's department within the department of the East.

I am, very respectfully, your obedient servant,

J. E. TOTTEN,

*Brevet Brig. Gen. and Assistant Inspector General, U. S. A.*

Brevet Major R. C. PERRY, U. S. A.,

*Acting Assistant Adjutant General, Department of the East.*

HEADQUARTERS DEPARTMENT OF THE EAST,  
JUDGE ADVOCATE'S OFFICE,  
New York, October 27, 1868.

SIR: I have the honor to make the following report of general court-martial cases tried in this department up to September 30, 1868:

Courts convened.		Cases tried.	
		Officers.	Enlisted men.
1	By a general court-martial convened at Fort Adams, Rhode Island, by virtue of Special Orders Nos. 206, dated October 17; 215, dated October 31; 223, dated November 9; and 224, department of the East, dated November 11, 1867, and of which Brevet Major General H. J. Hunt, lieutenant colonel 3d artillery, was president.....	5	

*General court-martial cases.—Continued.*

Courts convened.		Cases tried.	
		Officers.	Enlisted men.
2	By a general court-martial convened at New York city, by virtue of Special Orders No. 91, department of the East, dated May 5, 1866, and of which Brevet Major General Harvey Brown, United States army, was president.....	5	230
3	By a general court-martial convened at Fort Adams, Rhode Island, by virtue of Special Orders No. 8, department of the East, dated January 11, 1868, and of which Brevet Lieutenant Colonel L. L. Livingston, captain 3d artillery, was president.....	1	
4	By a general court-martial convened at New York city, by virtue of Special Orders No. 22, department of the East, dated January 30, 1868, and of which Brevet Major General Harvey Brown, United States army, is president.....	4	242
5	By a general court-martial convened at Fort Porter, New York, by virtue of Special Orders No. 39, department of the East, dated February 28, 1868, and of which Brevet Colonel John Hamilton, major 1st artillery, was president.....		4
6	By a general court-martial convened at Madison barracks, New York, by virtue of Special Orders No. 95, department of the East, dated May 23, 1868, and of which Brevet Brigadier General Israel Vogdes, colonel 1st artillery, was president.....	1	3
7	By a general court-martial convened at Fort Porter, New York, by virtue of Special Orders No. 112, department of the East, dated June 16, 1868, and of which Brevet Colonel John Hamilton, major 1st artillery, was president.....		4
8	By a general court-martial convened at Madison barracks, New York, by virtue of Special Orders No. 146, department of the East, dated August 13, 1868, and of which Surgeon E. V. Vollum, United States army, was president.....		6
9	By a general court-martial convened at Fort Porter, New York, by virtue of Special Orders No. 155, department of the East, dated August 24, 1868, and of which Brevet Colonel John Hamilton, major 1st artillery, was president.....		6
10	By a general court-martial convened at Fort Warren, Massachusetts, by virtue of Special Orders No. 157, department of the East, dated August 26, 1868, and of which Brevet Brigadier General G. A. De Russy, major 3d artillery, was president.....		8
	Total .....	16	503
	Of this number there were tried belonging to regiments not serving in this department.....	1	21
	Belonging to the general service .....		108
	ordnance corps.....		16
	engineer corps .....		
	general mounted service .....		29
	Of this number there were acquitted.....	4	46
	convicted.....	12	457
	unexpired portion of sentences remitted, per special orders department of the East .....		34

Making a total of 16 officers and 503 enlisted men tried by 10 different general courts.

I am, sir, very respectfully, your obedient servant,

ROBERT C. PERRY,

*Brevet Major U. S. A., Judge Advocate.*

ASSISTANT ADJUTANT GENERAL,

*Department of the East.*

HEADQUARTERS DEPARTMENT OF THE EAST,  
OFFICE OF CHIEF QUARTERMAS-  
TER, *New York City, October 20, 1868.*

MAJOR: I have the honor to acknowledge the receipt of the circular of the 12th of October, from the brevet major general commanding this department, calling upon the chiefs of the various staff departments for a report of the operations of their respective branches for the year ending September 30, 1868.

By Special Orders No. 170 from headquarters of the army, dated July 18, 1868, I was announced as chief quartermaster department of the East. For a year previous I was stationed in this city as quartermaster and chief quartermaster of the second quartermaster's district, department of the East.

On the 22d of September I forwarded to the Quartermaster General my annual report of the operations of my department for the fiscal year ending June 30, 1868, accompanied by the various statements in relation to the expenditure of public money, the receipt and disposition of public property, of transportation furnished, vessels chartered, &c., &c., business relating to the regular operations of the department pertaining to this depot.

From the time of my assuming the duties of chief quartermaster department of the East, my duties pertaining to that department have been purely of a supervisory character. All requisitions for supplies have passed through this office, and all transfers of money have been made by me to the chief quartermasters of the four quartermaster districts comprised in said department.

The operations of the depot and the second quartermaster's district have continued the same as during the fiscal year, and have demanded my principal attention. Other than the providing of the ordinary supplies for the various posts in this department, and the necessary repairs to barracks and quarters to make them comfortable during the coming winter, and the ordinary official correspondence pertaining to the department of the East, nothing of any particular or important character has transpired since my assuming charge which I think will call for any special report from me for the short time that I have been chief quartermaster of the department.

I submit the following extract from my annual report to the Quartermaster General for the fiscal year ending June 30, 1868, in relation to the army building, for the information of the brevet major general commanding, and if my recommendations coincide with his views, I would be much gratified if the commanding general would give the matter due consideration in his report:

\* \* \* \* \*

Immediately upon entering on duty here I became convinced of the great and numerous advantages that would arise from a concentration of all the army offices and accommodations for storage near the centre of the city, not only as a matter of convenience to the officers in charge, and those having business with them, but also in a pecuniary sense, and I early made urgent representations of my views to the authorities at Washington, earnestly recommending that I be authorized to carry the project into execution. They were pleased to regard my suggestions with favor, and clothed me with power to act.

To find a suitable building in a central and convenient locality was the first step to be taken. Numerous structures were visited and inspected, but none could be found better adapted for all purposes required than the Bruner building, now known throughout the city as the army building, and it was therefore leased for a term of five years commencing May 1, 1868, at the rate of \$25,000 per annum. Experience has proven this selection a wise one. "The army building" is situated on the southeast corner of Houston and Greene streets, is five stories in height with basement and sub-basement, is 100 feet square, contains 55 commodious and airy office rooms, besides over 250,000 feet of storage space in various compartments of the building. It is heated throughout by steam, and water is furnished in all the stories.

There are two hoistways, two elevators, and one slide connected with it, by the aid of which the heaviest stores can be placed in any portion of the building with comparative ease. Before this plan of concentration was effected the military offices were scattered in all sections of the city, and persons, especially those unacquainted with it as most of the officers of the army are, to do business with two or more of them were obliged to devote the whole business portion of a day to that one object; but now, here in this building within a few steps of each other are the offices of the headquarters department of the East, quartermasters' department, general recruiting service, engineer department, ordnance department, pay department, commissary department, medical director and attending surgeon, army examining board, medical examining board, general court-martial, and most all of the stores pertaining to the several departments mentioned.

The transfer of the headquarters department of the East from Philadelphia to this city made it necessary for a portion of the engineers to remove to the adjoining building on Houston street where rooms are rented, and if headquarters division of the Atlantic are established here it may become necessary to secure, temporarily, a few more rooms outside of this building. But this "army building" possesses ample accommodations for the use of all the army officers that will ordinarily be on duty here, both for office rooms and storage space for all the stores it will be found convenient or economical to keep on hand.

The quartermasters' department is now paying *all* the rent, as it accrues, for all the offices, &c., used here by the different staff departments. Should the engineer and ordnance departments pay their proportion out of their own appropriations, I desire to be so informed, or that you will cause the transfer to be made in Washington. In my report of December 17, 1867, I stated what I considered a fair proportion.

While it would thus appear that the superior conveniences obtained by it would alone have warranted this concentration, yet there are other and as great advantages arising from it.

It has greatly reduced the rents, as you are well aware from the statements which I have from time to time furnished your office, and which show that the rents for the current year will amount to less than one-half the amounts they have averaged per year since 1860. It has reduced the amount paid for hire of watchmen in all departments at least 30 per cent. It has reduced the quantity of fuel consumed full 25 per cent., and of gas 30 per cent. In short, it has very materially decreased all of the miscellaneous expenses connected with the hire of buildings and care of government stores.

Before dropping this subject permit me to respectfully urge that the subject of the purchase of the army building be entertained, investigated, and recommended by you in your annual report and estimates. I would recommend its purchase for the following reasons:

1. A building of this character will be required in this city for the uses of the army for many years, perhaps permanently, and is almost as essential to the economical and proper transaction of its business as is the custom-house for the revenue service, or the treasury building for the assistant treasurer.

2. It is a new building, and has been prepared expressly, under my immediate supervision, and at a cost of \$25,000 to its owner, in its interior arrangement, for the use of the army.

3. It is situated in the most central and accessible locality in the city, where the greatest number of advantages are secured to the public service, and where property is rapidly increasing in value.

4. It is more economical to purchase than rent, whereas in this case it will be necessary to rent always, and as rents are each year advancing. To illustrate this point I would state that were not this building held by the government under a five years' lease it could now be rented by the owner for \$35,000 or \$40,000 per annum.

5. If at any time the whole of it should not be required by the government it is so located and arranged that a portion of it could be rented to other parties to a good advantage.

6. If, after a few years, the government should have no further use for it, I am confident that in addition to saving the rent it could obtain \$450,000, or more, for it. It can now, I think, be purchased for \$375,000.

I do not wish to be understood as advocating that the government enter into the real estate business as a matter of speculation. The point I make is this: That inasmuch as the government will have army offices and storehouses in this city for all future time, and as it is clear that it will in the end be much to the advantage of the government pecuniarily, and otherwise, to purchase now than to pay rent for a long term of years, it would be but following good business regulations in purchasing at once.

Very respectfully, your obedient servant,

RUFUS INGALLS,

*Bvt. Major Gen. and A. Q. M. G., Captain, Q. M. Dep't, East.*

Brevet Major R. C. PERRY,

*Acting A. A. G., Department of the East.*

OFFICE OF ASSISTANT COMMISSARY GENERAL  
OF SUBSISTENCE AND CHIEF COMMISSARY OF  
SUBSISTENCE, DEPARTMENT OF THE EAST,  
New York, October 26, 1868.

MAJOR: In compliance with circular of 12th instant, headquarters department of the east, I have the honor to enclose a report of the operations of this office for the year ending September 30, 1868. I have but one suggestion to make to the general, viz.: I am of the opinion that paragraph 2d, General Orders No. 11, headquarters department of the East, March 11, 1867, and General Orders No. 32, headquarters department of the East, August 27, 1868, which now required estimates for stores to be made for certain fixed periods should be revised, and the officers required to make their requisitions at such times and for such periods as the public service, amount of available storage, &c., shall demand.

Very respectfully, major,

C. L. KILBURN,

*B. B. G., A. C. G. of S. and Chief C. S. D. E.*

Major R. C. PERRY,

*Acting A. A. G., Department of the East, New York.*

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*Statement of subsistence funds disbursed in the year ending September 30, 1868, in the Department of the East, by Brevet Brigadier General C. L. Kilburn, Acting Commissary General of Subsistence and Chief Commissary of Subsistence, Department of the East.*

Purchase of subsistence stores.....	\$1, 141, 877 11
Transfer of funds to officers.....	233, 086 78
Contingencies .....	59, 442 80
Total.....	<u>1, 434, 406 69</u>

C. L. KILBURN,

*Brevet Brig. Gen., A. C. G. of S. and Chief C. S., D. E.*

OFFICE A. C. G. OF SUBSISTENCE,  
New York City, October 22, 1868.

*Statement of subsistence stores purchased by Brevet Brigadier General C. L. Kilburn, Acting Commissary General of Subsistence, and Chief commissary of Subsistence, Department of the East, for the year ending 30th of September, 1868.*

Articles.	Quantity.	Cost.	Average cost.
Pork.....barrels..	11,823	\$277,660 43	\$23 48 per bbl.
Bacon sides.....pounds..	68,801	11,122 45	16.16 per lb.
Hams.....do.....	49,300	9,473 61	19.21 per lb.
Fresh beef.....do.....	58,757½	7,646 12	11.31 per lb.
Salt beef.....barrels..	21	366 50	17 45 per bbl.
Flour.....do.....	14,152½	170,802 37	12 07 per bbl.
Hard bread.....pounds..	62,932	4,095 67	6½ per lb.
Corn meal.....barrels..	4,899	28,151 93	5 75 per bbl.
Beans.....pounds..	372,058	33,013 36	8.87 per lb.
Peas.....do.....	40,149	1,639 90	4.08 per lb.
Rice.....do.....	176,727	19,725 15	11.21 per lb.
Hominy.....do.....	42,137	1,608 08	3.81 per lb.
Rio coffee.....do.....	792,597	169,732 07	21.41 per lb.
Tea.....do.....	27,503	28,284 02	1 02 per lb.
Brown sugar.....do.....	709,160	96,798 04	13.65 per lb.
Vinegar.....gallons..	30,424½	8,286 21	27.23 per gal.
Adamantine candles.....pounds..	41,482	10,858 40	26.18 per lb.
Soap.....do.....	157,014	12,267 11	7.81 per lb.
Salt.....do.....	194,779	1,954 42	1 per lb.
White sugar.....do.....	175,489	29,638 69	16.89 per lb.
Tobacco.....do.....	197,689	140,344 54	70.99 per lb.
Canned and dried fruits, fish, &c., for sales to officers.....		78,408 04	
Total.....		1,141,877 11	

C. L. KILBURN,

*Brevet Brig. Gen., and A. C. G. of S. and Chief C. S., D. E.*

OFFICE A. C. G. OF SUBSISTENCE,

*New York City, October 22, 1868.*

#### MEDICAL DIRECTOR'S OFFICE,

DEPARTMENT OF THE EAST,

*New York City, October 25, 1868.*

SIR: In accordance with instructions from headquarters department of the East, of the 12th instant, I have the honor to submit the following statement of the operations of the medical department in the department of the east for the year ending September 30, 1868, as follows:

Number on sick report during the year at fort hospitals.....	9,978
Number died.....	39
Number discharged on surgeon's certificate of disability.....	103
Number of artificial limbs and appliances furnished to discharged soldiers and soldiers in the service.....	98
Number of private physicians contracted with and ordered to report for duty in other departments, by order of the Surgeon General.....	31
Number of medical officers of the regular army on duty in the department.....	20
Number of private physicians under contract, on duty in the department.....	16
Number of hospital stewards on duty in the department.....	25



Information in regard to soldiers who have been treated in hospitals, or died in the department of the east, has also been furnished for the Pension Bureau in 337 cases of application for pensions.

The business of the department for the past year has been conducted harmoniously, and I have only to suggest a renewal of the authority granted to the medical director by Special Orders No. 41, headquarters department of the east, New York city, February 16, 1865, to inspect the hospitals in this department at such times as he may deem best for the interest of the service.

Very respectfully, your obedient servant,

JOHN M. CUYLER,

*Brevet Brigadier General and Surgeon United States Army,  
Medical Director, Department of the East.*

ASSISTANT ADJUTANT GENERAL,

*Headquarters Department of the East, New York City.*

# REPORT OF GENERAL JOHN POPE, COMMANDING DEPARTMENT OF THE LAKES.

HEADQUARTERS DEPARTMENT OF THE LAKES,

*Detroit, Michigan, October 31, 1868.*

SIR: In obedience to instructions from headquarters military division of the Atlantic, dated October 9, 1868, I have respectfully to submit the following report of military operations and movements of troops in the department of the Lakes for the period ending October 31, 1868. On the first of October, 1867, the following was the distributing of troops:

Brevet Major General John C. Robinson, colonel 43d United States infantry, (Veteran Reserve Corps,) commanding department.

## DEPARTMENT STAFF.

Brevet Brigadier General George D. Ruggles, major and assistant adjutant general United States army, adjutant general.

Second Lieutenant W. H. Upham, 4th United States artillery, aide-de-camp.

Brevet Major General Absalom Baird, major and assistant inspector general United States army, inspector general.

Brevet Brigadier General Judson D. Bingham, major and quartermaster United States army, chief quartermaster.

Brevet Colonel Robert Macfeely, major and commissary of subsistence United States army, chief commissary of subsistence.

Brevet Colonel William S. King, major and surgeon United States army, medical director.

Brevet Brigadier General Joseph R. Smith, major United States army, (retired,) commissary of musters.

Brevet Lieutenant Colonel E. P. Cressy, captain 3d United States cavalry, general staff duty.

*Post of Fort Wayne, Detroit.*—Commanding officer, Lieutenant Colonel J. B. Kiddoo, 43d United States infantry, (Veteran Reserve Corps.) Troops, headquarters, and companies C and F, and detachment of unassigned recruits, 43d United States infantry, (Veteran Reserve Corps,) and light battery G, 4th United States artillery.

*Post of Fort Gratiot, Port Huron, Michigan.*—Commanding officer, Brevet Major Fergus Walker, captain 43d United States infantry, (Veteran



Reserve Corps.) Troops, company A, 43d United States infantry, (Veteran Reserve Corps.)

*Post of Fort Brady, Sault de Ste. Marie, Michigan.*—Commanding officer, Captain George S. Gallupe, 43d United States infantry, (Veteran Reserve Corps.) Troops, company D, 43d United States infantry, (Veteran Reserve Corps.)

*Post of Fort Mackinac, Mackinac, Michigan.*—Commanding officer, Captain John Mitchell, 43d United States infantry, (Veteran Reserve Corps.) Troops, company B, 43d United States infantry, (Veteran Reserve Corps.)

*Post of Fort Wilkins, Copper Harbor, Michigan.*—Commanding officer, Captain Kenelin Robbins, 43d United States infantry, (Veteran Reserve Corps.) Troops, company E, 43d United States infantry, (Veteran Reserve Corps.)

On October 2, 1867, a detachment of 39 recruits, assigned to the 43d United States infantry, (Veteran Reserve Corps,) arrived at Fort Wayne from depot, Fort Columbus, New York harbor.

October 6, 1867.—Company G, 43d United States infantry, (Veteran Reserve Corps,) was organized from recruits at regimental depot, Fort Wayne.

October 19, 1867.—Company G, 43d United States infantry, (Veteran Reserve Corps,) embarked on the steamer Ironsides for Fort Brady, Sault de Ste. Marie, Michigan.

December 18, 1867.—A detachment of 32 recruits, assigned to the 43d United States infantry, (Veteran Reserve Corps,) arrived at Fort Wayne from depot, Newport barracks, Kentucky.

December 24, 1867.—Company H, 43d United States infantry, was organized from recruits at regimental depot Fort Wayne.

On my assuming command of this department, February 1, 1867, the staff was re-organized as follows :

#### DEPARTMENT STAFF.

Brevet Colonel H. Clay Wood, major and assistant adjutant general United States army, assistant adjutant general.

Brevet Major William McK. Dunn, jr., captain 21st United States infantry, aide-de-camp.

Brevet Captain Charles S. Isley, 1st lieutenant 16th United States infantry, aide-de-camp and commissary of musters.

Brevet Major General Absolom Baird, major and assistant inspector general United States army, assistant inspector general.

Brevet Major General John C. Robinson, colonel 48th United States infantry, acting judge advocate.

Brevet Brigadier General Judson D. Bingham, major and quartermaster United States army, chief quartermaster.

Brevet Colonel Robert Macfeely, major and commissary of subsistence United States army, chief commissary of subsistence.

Brevet Colonel William S. King, major and surgeon United States army, medical director.

The distribution of troops remained as hereinbefore indicated. In addition to the organization and movement of troops mentioned, there has been considerable business relating to volunteer deserters, pension claims, &c., in the States of Ohio, Michigan, Illinois, Wisconsin, and Indiana, referred from the War Department for the action of the department commander, which has received investigation, reports been made, and in the cases of deserters, the soldiers concerned have, under existing regulations, been discharged the service of the United States hon-

orably or dishonorably, with or without pay, bounty, and allowances, as their cases have seemed to merit.

The following was, on the 31st of October, 1868, the

#### DISTRIBUTION OF TROOPS.

Brevet Major General John Pope, brigadier general United States army commanding department.

#### DEPARTMENT STAFF.

Brevet Colonel H. Clay Wood, major and assistant adjutant general United States army, assistant adjutant general.

Brevet Major William McK. Dunn, jr., captain 21st United States infantry, aide-de-camp.

Brevet Captain Charles S. Elsley, 1st lieutenant 16th United States infantry, aide-de-camp and commissary of musters.

Brevet Brigadier General M. D. Hardin, major 43d United States infantry, acting judge advocate and acting inspector general.

Brevet Brigadier General Judson D. Bingham, major and quartermaster United States army, chief quartermaster.

Brevet Colonel Robert Macfeely, major and commissary of subsistence, chief commissary of subsistence.

Brevet Colonel William S. King, major and surgeon United States army, medical director.

*Post of Fort Wayne, Detroit, Michigan.*—Commanding officer, Brevet Major General John C. Robinson, colonel 43d United States infantry, (Veteran Reserve Corps.) Troops, headquarters, and companies C, F, and H, and detachment of unassigned recruits, 43d United States infantry, (Veteran Reserve Corps,) and light battery G, 4th United States artillery.

*Post of Fort Gratiot, Port Huron, Michigan.*—Commanding officer, Brevet Major Fergus Walker, captain 43d United States infantry, (Veteran Reserve Corps.) Troops, company A, 43d United States infantry, (Veteran Reserve Corps.)

*Post of Fort Brady, Sault de Ste. Marie, Michigan.*—Commanding officer, Brevet Brigadier General J. B. Kiddoo, lieutenant colonel 43d United States infantry, (Veteran Reserve Corps.) Troops, companies D and G, 43d United States infantry, (Veteran Reserve Corps.)

*Post of Fort Mackinac, Mackinac, Michigan.*—Commanding officer, Captain John Mitchell, 43d United States infantry, (Veteran Reserve Corps.) Troops, company B, 43d United States infantry, (Veteran Reserve Corps.)

*Post of Fort Wilkins, Copper Harbor, Michigan.*—Commanding officer, Captain Kenelin Robbins, 43d United States infantry, (Veteran Reserve Corps.) Troops, company E, 43d United States infantry, (Veteran Reserve Corps.)

#### FENIANS.

Full reports of Fenian movements are hereto appended. Beyond small raids for plunder, which are not likely to occur before the rivers are frozen, I do not think anything is for the present to be apprehended from the Fenians. As close a watch as is practicable will be kept upon their organizations, and under existing laws I can only report the facts to higher authority for such instruction as the General may consider it expedient to give. I have no power to prevent any number of men, armed or otherwise, from crossing into Canada whenever it may please

them to do so. Any step to arrest such parties should, it would seem, be taken by the civil officers of the United States, aided, if necessary, by the military authorities, and I trust that, as a precautionary measure, the necessary instructions will be given to the United States district attorneys and marshals, within the limit of their departments, as well as orders to the department commander to respond to their requisitions for troops.~

I deem these precautionary measures only, as I do not myself believe that there is anything serious to be apprehended from Fenians on this frontier.

I am, General, very respectfully, your obedient servant,

JOHN POPE,

*Brevet Major Gen. U. S. Army, Commanding.*

Brevet Colonel W. G. MITCHELL, U. S. A.,

*A. A. A. G., Military Division of the Atlantic,*

*New York City.*

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*Report of Allen Pinkerton.*

CHICAGO, September 3, 1868.

GENERAL: In obedience to your orders I have caused investigations to be made in reference to any supposed attempt on the part of the Fenians to violate the neutrality of the laws by an armed invasion of Canada.

There is quite a large Fenian organization in Chicago, although it is reported to be very weak, on account of the lack of funds. The leaders of the Fenian movement appear to have drained their followers of nearly all their means. Much dissension also prevails among them, and, although very numerous, yet there is no homogeneousness of opinions existing among them. They would undoubtedly be willing to participate in any raid upon Canada, but they lack confidence in their leaders. From the best information I have been able to obtain they would hesitate to follow their leaders into any active movement without they were better assured than they are now that their leaders would be more sincere with them than they (the Fenians) say they have hitherto been. I am safe I think in saying that so far as Chicago is concerned there is very little danger of a movement of Fenians from that city at the present time. With regard to arms in Chicago, I found nothing excepting the ordinary infantry and a few cavalry equipments.

I also detailed an experienced detective to Port Huron, and from thence to investigate all along the St. Clair river on the American side to Algonac, where, as you are aware, the river widens into Lake St. Clair. He reports that he visited Port Huron, which is a town of about 7,000 inhabitants, located at the mouth of the Black river, a narrow, deep stream. There are in the town 14 mills, 10 of which are saw-mills, and four flouring mills. There is a considerable number of Irish here. The Fenian interest is very strong here indeed. The head centre is one Captain Atkinson, formerly captain in the 27th Michigan infantry. He has a brother also, known as Colonel O'Brien Atkinson; they are both of Irish parents, but born in Canada. They are said to be men of a high order of intellect and ability, and reputed as honest and fair in their dealings, yet devoted Fenians. Captain Atkinson has been east attending the Fenian convention in New York city, but has lately returned, and is apparently busily engaged, though upon what could not be learned. His

time is about equally divided between Port Huron and Detroit. It is said that neither of the brothers go into Canada. Should a movement take place from along the St. Clair river, from all I can learn, it is possible that the Atkinsons would be the leaders in it.

My detective while in Port Huron associated himself considerably with the Irish part of the population, and found that, although they were intensely Fenians, there was no evidence to lead to the impression that any movement on Canada was contemplated before the river freezes over, but it was very plainly intimated that after the river was frozen over there would be an invasion. In this respect I would say, however, that it is not at all difficult to make a movement from along the river St. Clair over to Canada in summer time, as the river can easily be crossed, either by steamers, scows, barges, or floats. My detective made a very careful examination into all the store-houses, mills, barns, &c., at Port Huron, but found no evidence of any concealed arms, or of boxes which might contain them. The principal part of the American population along the bank of the St. Clair river is from Maine, and generally engaged in some sort of lumber trade, connected with mills, shingle mills, or something of that kind, and they are strong anti-Fenians, and do not hesitate to say that heavy bids are being offered for the Fenian vote, and that Fenian movements are winked at by prominent politicians in that section of the country to secure the Irish vote. The population appears to be pretty well divided between Americans, French Canadians, (who are nearly all Catholic,) and Irish. There are but few Germans in that vicinity. My detective did not go up the Black river, as I had given him no orders to that effect. It is navigable for some distance.

Captain J. Atkinson is described as about 25 years of age, five feet seven inches in height, slim built, but muscular, very straight, with long, black, curly hair, of which he is apparently very proud, and which he combs back of his ears; has fine expressive eyes, rather thin face, small dark moustache, dresses well, almost foppishly, but is apparently a man who when he goes into any movement throws his whole soul into it.

Colonel O'Brien Atkinson is described as about 27 or 28 years of age, five feet 10 inches in height, slim build, but muscular, walks straight and erect, clear complexion, dark hair inclined to curl, and also combed back of his ears; has fine, clear expression, dark hazel eyes, brown moustache, and is at the present time prosecuting attorney for St. Clair county. Both of the Atkinsons are popular among all classes of the community in that vicinity.

Leaving Port Huron my detective took the river road down. The first place he reached was Avery's saw-mill, about two and one-half miles from Port Huron. At this place there are some boarding houses, and a dwelling house, and a large barn, which contained a quantity of baled hay. As far as possible this barn was carefully examined, but no evidence of arms, artillery, or any munitions of war were found, (and this is about the only place where articles of this kind could be stored in that vicinity,) and nothing was lying around out of doors to show that there might be any munitions of war packed in boxes. At Avery's saw-mill there is a good wharf, as also one on the opposite side of the river, apparently in good order. On the Canadian shore, between Avery's mill and Port Huron, there is what is known as a lime wharf. It is in good order. There are no buildings there in which arms could be secreted.

Three and one-half miles south of Port Huron is Sturgeon's shingle-mill. At this place there is a good wharf, and quite a number of men are employed here; some of whom are Irish, but the majority are French and Americans. In the vicinity of this saw-mill there is a small settlement of about 50 houses, and a few barns. All the barns were examined

as carefully as could possibly be done. As before, there was no evidence of arms concealed.

The next place stopped at by my detective was Vicksburg, a town of about 150 houses, stores, blacksmith's shop, churches, &c. Most of the residents here are Americans and French. There is a capital wharf here, situated immediately opposite Broomfield, in Canada, where there is also a good wharf. Broomfield is on the Indian reservation, and contains about 100 houses, churches, &c. There is a large amount of shipping done at Vicksburg. The warehouses, barns, &c., were carefully searched, but no traces of arms found.

The next place stopped at was Carlton's wharf, which is said to be a very pretty little place, has two large barns, and one large house. The barns were carefully examined, and were nearly filled with hay, which appeared to have been there for some time, but no traces were found of any concealed weapons. Below this, and within one mile of the American shore, there are four more wharves, all in good condition, but no buildings of any account, except one or two barns, all of which were examined, and nothing was found in them to indicate the presence of arms or ammunition.

The next place stoppéd at was what is known as Yankee street, part of the outskirts of St. Clair. There is a good wharf here, which is directly opposite Moorestown, Canada, at which there is also a good wharf. The barns and storehouses at Yankee street were examined without discovering any evidence of arms.

St. Clair was next visited. It is a town of about 2,500 inhabitants, has a large hall, and a great many good private residences. My operative learned that there were very few Fenians in St. Clair, and that they had no organization to amount to anything, and little interest manifested in the movement.

The next place visited by my detective was Truesdell's farm, at which there is a good wharf. The farm is a very large one, has roads on each side, one going to Ridgeway, via Superior Mills. Between Marine City and St. Clair there are 17 good wharves. All the barns in the vicinity of these wharves were carefully searched, and were found to contain large quantities of baled hay, in which it is possible that arms might be secreted, so as not to be easily found without overhauling the whole contents. In this respect I have to say that nearly all the barns along the river are filled with hay, and it would be difficult to tell what kind of arms might be concealed therein. There are also several wharves on the Canadian side of the river, opposite this section, and the roads are in excellent condition.

From Marine City my detective proceeded to Record's Dock. The road here runs to the west about half a mile, and then straight down to Ridgeway. The road is in good order. This would be the best place for an invasion to be made, in the opinion of my detective. The invaders might go over from the different points concentrating at this place, and, as I before said, could easily cross over into Canada by means of tugs, flats, or barges. There are also a great many saw-mills, which are not in operation along the line of the road, which might well be used for concealing arms or boxes containing them, and covering them over with saw dust and debris. They were all, however, examined as well as possibly could be done, and no evidence of arms found.

The Fenian movement does not at all appear to be popular at Marine City, which is a town of about 1,600 inhabitants, having a large hotel, several saloons, store-houses, &c. The store-houses here were visited with like result as before. It is proper also to add there was no unusual amount of strangers in any of the towns along the St. Clair river. All

appeared to have been there for some time, or to be there engaged in their legitimate business, aside from the usual amount of loafers to be found at small towns of this kind—the principal element being Americans, French, and Germans, but very few Irish.

Leaving Marine City for Algonac, the road becomes lower on both sides of the river with a marsh extending off from it, which continues to Algonac. In some parts the road is very sandy, and is not so good as that which runs between Marine City and Port Huron. The country also is thinly settled.

About half way between Marine City and Algonac, at Roberts's mills, there is quite a number of Irish employed. My detective stopped and entered into conversation with them, but they evinced no particular interest in Fenianism. The barns and buildings in the vicinity were also carefully searched, but nothing discovered to excite suspicion. At Roberts's mills there is also a good wharf. At Algonac my detective examined the store-houses, goods upon the wharf, and also barns, but found no evidences of arms whatever. At the numerous landings along the St. Clair river vessels are continually loading and unloading, day and night, and a great deal of heavy machinery, for the use of mills along the river and in the interior, is landed at these wharves, and it would be very easy indeed to land artillery properly boxed, as also cavalry equipments. At any of these points they might be consigned to parties supposed to be owners of mills, received by them, and deposited at some secret place ready for use. A great deal of shipping of this kind is done from Cleveland, Detroit, and Chicago to the wharves along the river.

I also detailed a detective to go to Cleveland and examine, if he could find anything relating to a contemplated movement of Fenians. He reports that there is no evidence to warrant the belief that any movement of this kind is in contemplation, as the members of the Fenian organizations are much divided, and are a great deal weaker than they were one year ago, as there is much quarrelling and dissension among themselves, each accusing the other of the betrayal of their trust, or having stolen the funds subscribed by the Fenians. A careful examination was made of a great many barns and out-buildings belonging to parties connected with the Fenian movement, and especially of those who were the most prominent and intelligent. No arms, however, were found. A careful examination was also made, so far as could be, of the Catholic churches, basements, &c., connected with them, but, in this connection, nothing of importance was found.

The examination was probably made as thorough as could be done in the latter case, as you are aware it takes some time for a good detective to get on familiar terms with those upon whom he may desire to operate, and a very short time was given to my detectives to ingratiate themselves with the favor of those whom they met, but this was well done, so far as could be. The detectives detailed upon the operation were Protestant Irishmen, or what are known as Orangemen, and thoroughly to be relied upon. Although it is possible that a Fenian movement may be made during the fall or winter months, I have to report to you that there are no evidences to be found of any such movement likely to be made at the present time.

I am, very respectfully, your obedient servant,

ALLEN PINKERTON.

Major General JOHN POPE,

*Commanding Department of the Lakes, Detroit, Michigan.*

Official:

H. CLAY WOOD,  
*Assistant Adjutant General.*



*Report of Captain James A. Bates.*

HEADQUARTERS DEPARTMENT OF THE LAKES,  
*Detroit, Michigan, October 30, 1868.*

COLONEL: I have the honor to report that, in obedience to instructions from headquarters department of the Lakes, dated September 5, 1868, I have been in constant communication with city and railroad officials of the city of Detroit, relative to a reported movement against Canada from this vicinity by Fenian troops.

For the information of the major general commanding I submit a report in full of all facts learned by me from city and railroad officials bearing on this matter. Immediately on the receipt of my instructions I made the following report, dated September 7, 1868, based on a personal interview with the officials named:

HEADQUARTERS DEPARTMENT OF THE LAKES,  
*Detroit, Michigan, September 7, 1868.*

SIR: In obedience to instructions, I have the honor to report that I communicated in person with the United States marshal, Major Wheaton, chief of police, and superintendent of the Michigan Southern railroad, relative to the supposed movement of Fenian troops against Canada from this vicinity of Detroit, asking them to convey to me any information that might come to their knowledge of such a movement. All of these gentlemen are of the opinion that at present the Fenians have no intentions of making an attack on Canada.

They assured me should anything come to their knowledge I would be informed of it at once.

Mr. H. G. Blanchard, deputy United States marshal, stated to me that since his conversation with General Bingham, he had gone among the Fenians at night, and from all he could learn, was convinced that no movement was intended at present.

Very respectfully, your obedient servant,

JAMES A. BATES,

*Captain 43d Infantry, Brevet Lieutenant Colonel U. S. A.*

Colonel H. CLAY WOOD,

*Assistant Adjutant General, Department of the Lakes.*

Again, on the 15th of September, 1868, the following report was submitted by me:

HEADQUARTERS DEPARTMENT OF THE LAKES,  
*Detroit, Michigan, September 15, 1868.*

SIR: In addition to the report I have already made, (in obedience to instructions from department headquarters,) relative to the supposed movement against Canada by Fenians from the vicinity of Detroit, I have the honor to state that I have been in constant communication with the city and railroad officials of this city, and they are unanimous in the belief that the Fenians have no intentions of attacking Canada at present.

In conversations with the chief of police of this city the other day he told me he had been in Chicago recently, and while there talked the matter over with the chief of police of that city, who expressed himself as positive that no movement by Fenians was at present contemplated from Chicago.

He told him should anything occur that would lead him to believe that they intended any such move from Chicago via Detroit, he would inform

him (the chief of police of this city) by telegraph at once, and the same would be communicated to me without delay.

The division superintendent of the Michigan Southern railroad (Mr. Cooper) told me that Mr. Hatch, the general superintendent of this road, had informed him that no further inquiry had been made by the party representing himself to be inspector general of the Fenian army, or any other person, for transportation of Fenians over this road.

Very respectfully, your obedient servant.

JAMES A. BATES,  
*Captain 43d Infantry, Brevet Lieut. Col. U. S. A.*

I again, on September 26th, made the following report to the adjutant general of this department:

HEADQUARTERS DEPARTMENT OF THE LAKES,  
*Detroit, Michigan, September 26, 1868.*

GENERAL: I have the honor to still further report (in obedience to instructions from department headquarters) that the city and railroad officials, with whom I am in constant communication, state that, from all they can ascertain, the Fenians have no intention at present of disturbing the peace of Canada by making an attack upon it from this vicinity.

The deputy United States marshal (Mr. Blanchard) stated to me that he believed there were three companies in this city, and that they were armed with the Springfield musket; as to their number and the kind of arms with which they are armed, he would be more positive in a few days, and then report to me.

From all the information I can gather, I do not believe the Fenians have any intention of violating the neutrality laws from this vicinity of Detroit at present.

Very respectfully, your obedient servant,

JAMES A. BATES,  
*Captain 43d Infantry, Brevet Lieut. Col. U. S. A.*

Brevet Brig. Gen. M. D. HARDIN,  
*Acting A. A. General Department of the Lakes.*

Another report was made by me on the 9th of October, 1868, which is as follows:

HEADQUARTERS DEPARTMENT OF THE LAKES,  
*Detroit, Michigan, October 9, 1868.*

COLONEL: I have the honor to report that from all I can learn from city and railroad officials, there is no evidence that the Fenians have any intention of making an attack on Canada from the vicinity of Detroit.

Very respectfully, your obedient servant,

JAMES A. BATES,  
*Captain 43d Infantry, Brevet Lieut. Colonel U. S. A.*

Colonel H. CLAY WOOD,  
*Adjutant General Department of the Lakes.*

Again on the 20th of October, 1868, the following report on Fenianism was made by me:

HEADQUARTERS DEPARTMENT OF THE LAKES,  
*Detroit, Michigan, October 20, 1868.*

COLONEL: I have the honor to report that I have just had an interview with the city and railroad officials of the city of Detroit, and they



inform me that nothing has come to their knowledge, since my last report, of a move by the Fenians against Canada, from Detroit or vicinity. These gentlemen have assured me that I shall be duly informed of any move made by the Fenians looking to an attack on Canada.

Very respectfully, your obedient servant,

JAMES A. BATES,

*Captain 43d Infantry, Brevet Lieut. Col. U. S. A.*

Colonel H. CLAY WOOD,

*Adjutant General Department of the Lakes.*

All of the foregoing reports were made after a conversation with the persons named therein. I am fully convinced from my conversations with these parties, that if any attack is intended to be made by the Fenians against Canada, it will not be made from Detroit or vicinity.

Very respectfully, your obedient servant,

JAMES A. BATES,

*Captain 43d Infantry, Brevet Lieut. Col. U. S. A.*

Colonel H. CLAY WOOD,

*Adjutant General Department of the Lakes.*

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#### REPORT OF GENERAL CANBY, COMMANDING DEPARTMENT OF WASHINGTON.

HEADQUARTERS DEPARTMENT OF WASHINGTON,

*Washington, October 29, 1868.*

SIR: I have the honor to submit, for the information of the major general commanding the military division of the Atlantic, the following report of military operations and events, movements of troops, &c., in the department of Washington, from the 30th of September, 1867, to the present date:

The subjoined roster, dated October 1, 1867, marked A, exhibits the disposition of the troops and designation of posts in the department at the date of last annual report, (September 30, 1867,) rendered by Brevet Major General Emory, then commanding the department. The troops in the command at that date comprised, as will be seen, the 12th regiment of infantry, 44th regiment of infantry, (Veteran Reserve Corps,) headquarters and five companies 4th artillery, and headquarters and detachment 5th cavalry; 25 companies; the aggregate strength of all arms, being 1,809.

In accordance with instructions from the General of the army, dated September 30, 1867, one company, A, of the 12th infantry left this command October 2 for Phillippi, county seat of Barbour county, West Virginia, with orders there to await instructions from Major General George H. Thomas, commanding the department of the Cumberland. The company was returned to this command in November, arriving in this city on the 12th.

Companies C and H of the 4th artillery having been relieved from duty at Fort Whipple, in the first military district, pursuant to Special Orders No. 465, headquarters of the army, Adjutant General's office, October 10, 1867, and ordered to report for duty in this department, arrived at Fort McHenry, Maryland, October 21, 1867, and were assigned to the garrison of that post. A detachment sufficient for the protection of government property was left at Fort Whipple.

Under instructions from the headquarters of the army, companies A,

C, D, I, and H, 29th United States infantry, from the first military district, and companies B and G, same regiment, from the second military district, reported for duty in this department, and were assigned to the garrison of Washington; the first named detachment arriving in this city on the 7th, the last named on the 16th of November, 1867.

Pursuant to special orders from the headquarters of the army, dated November 15, 1867, one company, (D) from the detachment of the 29th infantry stationed in this department was sent, November 21, to Battery Rodgers, Alexandria, Virginia, (to relieve battery F, 4th United States artillery, then under orders for Fort Monroe, Virginia,) with orders to report for duty to the commanding general of the first military district.

Under Special Orders No. 196, from these headquarters, dated November 21, 1867, the following changes of stations of troops in this department were effected:

Company I, 4th United States artillery, from Fort McHenry to Fort Foote, Maryland; the company arriving at the last-named post November 28, 1867.

Company E, 4th United States artillery, from Fort Foote to Fort McHenry, Maryland; the company arriving at Fort McHenry on the 29th of November, 1867.

On the 5th November was referred from the headquarters of the army to the commanding general, department of Washington, for execution, a communication from the President, directing that efficient measures be taken for promptly disbanding and suppressing a number of armed organizations existing within the District of Columbia formed without authority of law.

The details of correspondence and action had on this matter will be found in the paper appended, marked B.

The detachment left by companies C and H, 4th United States artillery, for the protection of government property at and in the vicinity of Fort Whipple, Virginia, was relieved December 23, 1867, by a guard of one commissioned officer and 20 enlisted men from the 12th infantry, stationed at Washington, D. C.

January 7, 1868, pursuant to instructions from the headquarters of the army, four companies (B, C, F, and K, 12 commissioned officers and 275 enlisted men) of the 12th infantry were relieved from duty in this department, and, under command of the major of the regiment, placed en route by rail for Charleston, South Carolina, with orders to report to the commanding general of the second military district.

March 14th, 1868, instructions were received from the General commanding the army to detail one (1) company of infantry to take charge of the ordnance stores at Fort Greble, Maryland, and at Forts Whipple, Corcoran, and Strong, Virginia. Company I of the 12th infantry was detailed for this duty; the commander taking post at Fort Whipple. The guard previously furnished from the 12th United States infantry was then withdrawn.

On the 16th of June, 1868, instructions were given by the Secretary of War for the removal of Reynolds barracks, located on ground contiguous to the Executive Mansion and occupied by the 44th infantry, to a point near Lincoln depot, in the city of Washington; the regiment, except such portion of it as could be quartered in the vacant barracks near the depot, to be encamped on ground contiguous thereto, while Reynolds barracks was being moved. In accordance with these instructions, on the 24th of June two (2) companies of the regiment were placed in the vacant quarters referred to. Suggestions embracing a recommendation that all the buildings at Lincoln depot, some of which were then occupied

by the quartermasters' department, be turned over exclusively for the use of the troops, thus obviating the necessity and saving the expense of removing Reynolds barracks, having been offered to the War Department, the balance of the movement was held in abeyance awaiting a reply. This was received August 12th, the suggestion having been adopted by the Secretary of War. On recommendation of the medical director of the department, embodied in a report made by him on the sanitary condition of the troops and the locality where they were then stationed, on the 24th of July the six companies of the 44th remaining at Reynolds barracks were ordered into camp near Lincoln depot. The quarters there were made ready for occupation in the latter part of August, when the balance of the regiment moved in. Reynolds barracks being thus abandoned, have since been pulled down.

In obedience to General Orders No. 55, from the headquarters of the army, dated July 28th, 1868, General Emory, on the 14th of August, relinquished, and General Canby assumed command of the department. Special Orders No. 191, paragraph 20, headquarters of the army, Adjutant General's office, August 11th, 1868, directed General Emory, as colonel of the 5th cavalry, on being relieved from command of the department, to report direct to the Adjutant General of the army. Upon the consummation of General Orders No. 55 the 5th cavalry was therefore dropped from the returns of this department. On the 24th of August Mr. Alexander Dunbar, by direction of the Secretary of War, reported at these headquarters for the purpose of giving instructions, under the terms of a contract made with him in conformity to a joint resolution of Congress, approved July 28th, 1866, in his method of treating the horse's foot. Proper facilities were provided him at Sedgwick barracks, in this city, by the chief quartermaster of this department, and an officer was detailed to keep a record of the instruction given, which is in the form of clinical lectures, and of the operations and works performed. (See General Orders No. 51, department of Washington, 1868.) Mr. Dunbar is still engaged on this duty.

Fort Greble, Maryland, having been turned over to the chief signal officer of the army, to be occupied by a detachment exclusively under his command, the guard furnished by this department for the protection of the fort and the ordnance property stored there was withdrawn in September, on the arrival of the detachment of the signal corps to take possession. Brevet Major General Ramsay, commanding Washington arsenal, having been instructed to take charge of Fort Whipple, Virginia, the company (I) of the 12th infantry furnished from this department for the protection of the fort was withdrawn, and reported to the headquarters of the regiment in this city September 10, 1868.

In compliance with instructions from the headquarters of the army, dated September 30, 1868, the six companies of the 29th United States infantry stationed at Lincoln barracks in this city were placed en route for Tennessee on the 27th of September, with orders to report to Major General George H. Thomas, commanding the department of the Cumberland. The company of the 29th stationed at Battery Rodgers, Alexandria, Virginia, (first military district,) was relieved by one company. E of the 12th infantry from this department, and transportation for it to proceed with the other six companies via Lynchburg, Virginia, was furnished by the chief quartermaster of this department.

Battery F, 5th United States artillery, having reported for duty in this department on the 10th of October, was assigned as the garrison of Sedgwick barracks in this city, where quarters and stabling had been

prepared for its reception under instructions from the War Department, and Sedgwick barracks was declared a separate post.

In accordance with instructions from the General of the army, dated October 12, 1868, one company (H) of the 12th infantry was placed en route for Fairmount, Marion county, West Virginia, with orders to report to Major General George H. Thomas, commanding the department of the Cumberland. The company, 61 strong, left this command on the 13th instant.

The accompanying roster and return, marked respectively C and D, exhibit the strength and disposition of the troops stationed within the department at the present date.

Very respectfully, sir, your obedient servant,

ED. R. S. CANBY,

*Brigadier General and Brevet Major General U. S. A.*

*Commanding Department.*

Brevet Lieut. Colonel W. G. MITCHELL,

*A. A. A. G., Headquarters Mil. Div. of the Atlantic,  
New York City.*

#### A.

*Distribution of troops serving in the department of Washington, October 1, 1867.*

Brevet Major General W. H. Emory, colonel 5th United States cavalry, commanding; headquarters Washington, D. C.

#### STAFF OFFICERS.

Major J. H. Taylor, brevet colonel United States army, assistant adjutant general.

Lieutenant Colonel Joseph Roberts, 4th United States artillery, brevet brigadier general United States army, acting assistant inspector general and discharge officer.

Major Eugene A. Carr, 5th United States cavalry, brevet major general United States army, acting judge advocate.

Lieutenant Colonel J. C. McFerran, brevet brigadier general United States army, chief quartermaster.

Major George Bell, brevet colonel United States army, chief commissary of subsistence.

Surgeon L. A. Edwards, brevet colonel United States army, medical director.

Captain M. H. Stacey, 12th United States infantry, brevet major United States army, aide-de-camp.

Captain C. B. Atchison, 3d United States infantry, brevet major United States army, aide-de-camp.

Garrison of Washington, Lieutenant Colonel G. W. Wallace, commanding.

	Commanding officers.	Troops.
<b>STATIONS.</b>		
Sedgwick barracks ----	Brevet Captain R. H. Montgomery, 1st lieutenant and adjutant 5th U. S. cavalry. Brevet Major B. R. Perkins, captain 12th U. S. infantry.	Field, staff, band, and detachments 5th U. S. cavalry, detachments 12th U. S. infantry.
Russell barracks -----	Brevet Lieutenant Colonel P. W. Stanhope, captain 12th U. S. infantry.	12th regiment U. S. infantry.
Reynolds barracks ----	Captain T. Shea, 44th U. S. infantry.	44th regiment U. S. infantry.
<b>POSTS.</b>		
Fort McHenry, Md ----	Brevet Brigadier General H. Brooks, colonel 4th U. S. artillery.	Headquarters and company D and I, 4th U. S. artillery.
Fort Washington, Md ..	Brevet Colonel John Mendenhall, captain 4th U. S. artillery.	Companies A and M, 4th U. S. artillery.
Fort Foot, Md. ....	Brevet Lieutenant Colonel M. P. Miller, captain 4th U. S. artillery.	Company E, 4th U. S. artillery.

Official:

J. H. TAYLOR,  
*Assistant Adjutant General.*

M. STACEY,  
*Aide-de-Camp, Captain 12th U. S. infantry, Brevet Major U. S. A.*

**HEADQUARTERS OF THE ARMY,**  
*Washington, D. C., November 5, 1867.*

General Grant, by A. Webster, assistant adjutant general, refers to the commanding general department of Washington for execution a communication from the President directing that efficient measures be taken for promptly disbanding and suppressing a number of armed organizations which he is advised exist within the District of Columbia, formed without authority of law.

*Endorsement on the above.*

The necessary preparations are made for the execution of this order, but, as this department is not under martial law, it is respectfully suggested, to avoid legal complications, that, before proceeding to its execution, the notice disbanding these organizations shall be served first by the civil authorities.

W. H. EMORY,  
*Brevet Major General Commanding.*

## B.

[General Orders.]

HEADQUARTERS DEPARTMENT OF WASHINGTON,  
*Washington, D. C., November 6, 1867.*

Armed organizations, without the authority of law, within the District of Columbia, being prohibited, will be at once disbanded.

The commanding officer, garrison of Washington, is charged with the execution of this order, and the suppression of all such illegal organizations.

He will be guided by the report of the major general commanding the militia of this district, \*designating the militia troops legally enrolled within its limits.

By command of Brevet Major General Emory :

J. H. TAYLOR,  
*Assistant Adjutant General.*

Not issued : held in readiness to be enforced in certain contingencies.

J. H. TAYLOR,  
*Assistant Adjutant General.*

*Distribution of troops serving in the department of Washington, October 15, 1868.*

Brevet Major General Ed. R. S. Canby, brigadier general United States army, commanding; headquarters Washington, D. C.

## STAFF OFFICERS.

Major J. H. Taylor, brevet colonel United States army, assistant adjutant general.

Captain M. H. Stacey, 12th infantry, brevet lieutenant colonel United States army, aide-de-camp, acting assistant inspector general and discharge officer.

Captain A. J. McNett, 44th infantry, brevet colonel United States army, acting judge advocate.

Lieutenant Colonel J. C. McFerran, brevet brigadier general United States army, chief quartermaster.

Major George Bell, brevet brigadier general United States army, chief commissary of subsistence.

Surgeon L. A. Edwards, brevet colonel United States army, medical director.

Second Lieutenant Louis V. Caziarc, 11th United States infantry, aide-de-camp.

Second Lieutenant Harry R. Anderson, 6th United States infantry, aide-de-camp.

Major General James B. Ricketts, United States army, (retired,) court-martial duty.

Major H. Larned United States army, (retired,) court-martial duty.

\* The report referred to, on file in this office, contains nothing more than a list of authorized militia organizations.

## C.

Lieutenant Colonel George W. Wallace, commanding garrison of Washington and 12th regiment United States infantry.

	Commanding officers.	Troops.
<b>STATIONS.</b>		
Russell barracks .....	Brevet Major Richard C. Parker, captain 12th U. S. infantry.	Headquarters and companies A, D, G, and I, 12th regiment U. S. infantry.
Lincoln barracks .....	First Lieutenant W. Burns, brevet captain 44th U. S. infantry.	44th regiment U. S. infantry.
<b>POSTS.</b>		
Sedgwick barracks, D.C.	Brevet Lieutenant Colonel Henry A. DuPont, captain 5th U. S. artillery.	Light battery F, 5th U. S. artillery.
Fort McHenry, Md. ....	Brevet Brigadier General H. Brooks, colonel 4th U. S. artillery.	Headquarters and companies C, D, E, and H, 4th U. S. artillery.
Fort Washington, Md ..	Brevet Major General A. P. Howe, major 4th U. S. artillery.	Companies A and M 4th U. S. artillery.
Fort Foote, Md. ....	Brevet Colonel Richard Lodor, captain 4th U. S. artillery.	Company I, 4th U. S. artillery.

Official:

J. H. TAYLOR,  
*Assistant Adjutant General.*

LOUIS V. CAZIARC,  
*Second Lieutenant United States infantry, Aide-de-Camp.*

*Return of troops stationed in the department of Washington on the 29th day of October, 1868.*

Post or station.	Regiment.	No. of companies.	Present.				Absent.		Total.	Remarks.
			Effective.		Non-effective.		Commanding officers.	Enlisted men.		
			Commanding officers.	Enlisted men.	Commanding officers.	Enlisted men.				
Garrison of Washington ..	Lieutenant colonel and staff .....	.....	3	16	.....	.....	.....	.....	19	Under effective will be included all at the post excepting those sick, in arrest or confinement.
Do .....	12th infantry .....	4	11	224	.....	6	6	16	263	
Do .....	44th infantry .....	10	15	316	.....	48	20	219	618	
Total .....		14	26	540	.....	54	26	235	881	
Sedwick barracks, D. C ..	Light battery F, 5th artillery ..	1	3	110	.....	17	2	5	137	Casually at post, 8 general prisoners. Casually at post, 25 general prisoners.
Fort McHenry, Md. ....	Headquarters 4th artillery .....	4	20	236	.....	43	7	10	316	
Fort Washington, Md ....	Fourth artillery .....	2	6	124	1	13	5	11	160	
Fort Foote, Md .....	Fourth artillery .....	1	2	70	.....	12	1	4	89	
Total .....		22	57	1,080	1	139	41	265	1,583	

LOUIS V. CAZIARC,  
Lieutenant Colonel U. S. Infantry A. D. C., Acting Assistant Adjutant General.



## REPORT OF BREVET MAJOR GENERAL ROUSSEAU.

HEADQUARTERS DEPARTMENT OF LOUISIANA,  
(STATES OF LOUISIANA AND ARKANSAS,)  
*New Orleans, Louisiana, October, 1868.*

GENERAL: In accordance with your request of September 29, 1868, I have the honor to submit the following as report of the operations in the late fifth military district and department of Louisiana, during the past year, from September 30, 1867.

## FIFTH MILITARY DISTRICT.

Brevet Major General Joseph A. Mower, colonel 39th infantry, commanded the fifth military district from September 16, 1867, until November 29, 1867, and at that time his command comprised the States of Louisiana and Texas.

The State of Louisiana formed the district of Louisiana, and was commanded by Brevet Major General Mower, and was occupied by the following troops:

- First infantry regiment.
- Twentieth infantry regiment.
- Thirty-ninth infantry regiment.
- Light battery K, 1st artillery.

The State of Texas formed the district of Texas, and was commanded by Brevet Major General J. J. Reynolds, colonel 26th infantry, and was occupied by the following regiments and batteries:

- Fourth cavalry regiment.
- Sixth cavalry regiment.
- Ninth cavalry regiment.
- Seventeenth infantry regiment.
- Twenty-sixth infantry regiment.
- Thirty-fifth infantry regiment.
- Forty-first infantry regiment.
- Light battery I, 1st artillery.

Major General Winfield Scott Hancock, United States army, assumed command of the fifth military district November 29, 1867, relieving General Mower.

The district of Louisiana was commanded by Brevet Major General R. C. Buchanan, colonel 1st infantry, and was occupied by the following troops:

- First infantry regiment.
- Twentieth infantry regiment.
- Thirty-ninth infantry regiment.
- Company A, 33d infantry.
- Companies L and K, 5th artillery.
- Light battery K, 1st artillery.

The district of Texas was commanded by Brevet Major General J. J. Reynolds, colonel 26th infantry, and was occupied by the following regiments and batteries:

- Fourth cavalry regiment.
- Sixth cavalry regiment.
- Ninth cavalry regiment.
- Seventeenth infantry regiment.
- Twenty-sixth infantry regiment.

Thirty-fifth infantry regiment.

Forty-first infantry regiment.

Light battery I, 1st artillery.

March 16, 1868, Major General Winfield Scott Hancock was ordered to Washington, and directed to turn his command over to the senior officer on duty. In accordance with this order, Brevet Major General J. J. Reynolds, colonel 26th infantry, was ordered to assume command of the fifth military district.

March 25, 1868, Brevet Major General R. C. Buchanan, colonel 1st infantry, having been assigned to duty according to his brevet of major general, became the senior officer, assumed command and relieved Brevet Major General Reynolds.

#### DEPARTMENT OF LOUISIANA.

The order of the War Department reorganizing districts and departments was received August 4, 1868.

The department of Louisiana was organized to consist of the States of Louisiana and Arkansas, each State constituting a district. Brevet Major General R. C. Buchanan commanded the department.

The district of Louisiana was commanded by Brevet Major General R. C. Buchanan, and was occupied by the following troops:

First infantry regiment.

Twentieth infantry regiment.

Thirty-ninth infantry regiment.

Light battery K, 1st artillery.

Companies E and I, 4th cavalry.

The district of Arkansas was commanded by Brevet Major General C. H. Smith, colonel 28th infantry, and was occupied by the following troops:

Nineteenth infantry regiment.

Twenty-eighth infantry regiment.

Light battery G, 5th artillery.

The report of Brevet Major General Buchanan is herewith appended and marked A.

The report of Brevet Major General Buchanan upon the operations in the State of Louisiana is so full and complete in relation to events prior to my assumption of the command including that State, that I respectfully submit it without further remark.

General Smith's report of operations in Arkansas will be forwarded as soon as received.

Since I assumed command of this department several occasions have arisen upon which riot and disturbances of the peace have occurred in the city of New Orleans and other portions of the State. The prompt ordering of troops to the points where these difficulties occurred prevented them from assuming any formidable magnitude up to the date of September 30, 1868.

On September 22, 1868, a riot occurred on Canal street, in which two stores were gutted and three or four negroes killed. I ordered troops into the city; the disturbance was but momentary, and everything was quiet a few moments after. I reported this to the department by telegraph next day.

October 18, 1868, information was received of the murder of sheriff Colonel Henry Pope, and Judge Valentine Chase of Franklin, St. Mary's parish; upon which I ordered troops to be sent to Brashear, near Franklin, where disturbances were expected on account of the excitement

attending the aforementioned murders. The purpose was accomplished no disturbance of the peace took place.

Upon the arrival of the remains of Colonel Pope in this city they were attended by myself and the commanding general of the district of Louisiana, the officers of my staff and of his, in a body, to the steamer which conveyed them north.

Subsequently the United States marshal applied for assistance in making the arrests of persons said to be implicated in the alleged murders. Troops were sent from New Iberia and the arrests were made.

October 23 a fire occurred at Gretna, a small village directly opposite New Orleans, and two or three negroes charged with plundering were killed. Upon the verbal application of the governor I ordered troops to be sent to prevent a threatened collision between the whites and blacks. This was effected. (See telegram to General Grant, October 24th.) The troops remained there until after the Presidential election.

October 24 a riot occurred on Canal street between two political processions—white (democratic) and (republican) colored; six negroes and one white man were killed, and in a few moments the fight was over. In other portions of the city one or two murders occurred. I ordered out all the troops and the disturbances ceased. (See telegram A. G. O., October 25, 1868.) On October 26, Monday, a riot occurred in parish St. Bernard, in which a negro was killed by a democratic procession. In the afternoon and at night the negroes assembled and killed a white man named Pablo Felleicio and burnt the house and the dead body. Three steamers filled with armed citizens from this city destined for the same place were stopped by me. Other negroes were killed. Troops were sent to the parish to prevent further outrages and are still there at this date, November 6, 1868.

I brought all the troops into the city to remain until after the election.

During the day, October 26, Governor Warmoth stated in a communication that the civil authorities were unable to protect the lives and property of the people in certain parishes, to wit: Orleans, Jefferson, and St. Bernard.

On the night of October 26, several hundred citizens and about 150 armed men met at the City Hall, but dispersed quietly to their homes upon being requested to do so. A political procession called the "Innocents" paraded the streets, and one white man was killed. There was a good deal of rioting in the French portion of the city, which continued throughout the night and morning of the 27th. The police having abandoned their beats and left the rioters to do, without interruption, whatever they pleased, without notice of their abandonment of their posts, General Steadman was appointed chief of police on the 27th of October. Five companies of the 34th infantry reported to me from General Gillem.

On the 28th I issued a proclamation to the citizens enjoining peace and good order, and prohibiting political processions and unauthorized parties of armed men. Order and quiet was restored from this date.

On the 31st of October, two companies of infantry, at the written request of Governor Warmouth, were ordered to Ashwood and St. Joseph, in Tensas parish.

At the official request of G. W. Wickliffe, State auditor, a military guard was sent him for protection against threatened assassination, so reported by him.

On November 2, the registration records of the fourth ward of the city of New Orleans were lawlessly destroyed.

November 3, the election passed off quietly; the city was never perhaps more quiet; 10 negroes only voted.

November 4, the troops were returned to their proper stations.

I have thus referred in the shortest manner to the prominent incidents in the late disturbances in the city and State. It is due to the service as well as to myself to add something to the facts above set forth.

On assuming command of this department I had to encounter difficulties of no ordinary character. The excitement of a presidential election, at all times great, was supplemented in Louisiana by other disturbing elements of a local nature. From a struggle of opposing parties the campaign had been virtually converted, by causes into which it is not my province to enter, into a struggle of opposing races. The great majority of the colored population were ranged on one side. The majority of the white population ranged themselves on the other side. Both whites and blacks had organized into secret political clubs, semi-military in their character, having the ordinary military officers to each company. The colored clubs habitually drilled. The white clubs did not, because with the majority of them drill was unnecessary. A police imbroglio in the city of New Orleans, of a most perplexing and exciting character, and the receipt of more or less distorted reports of disturbances in various sections of the State, added additional complication to the situation.

With all these difficulties to contend against I found myself charged with extended responsibilities, and armed with very slender powers. Civil government having been restored in the State, the authority of the military was necessarily limited. The force at my command, moreover, was exceedingly small. Until the receipt of re-enforcements from General Gillem the entire number of troops at my disposal, in and around the city of New Orleans was only 463 men. After the receipt of the re-enforcements from Mississippi, I had but 550 men available for service in the city. I had not even then a sufficient force to patrol the city and leave a respectable reserve behind. The records of the department will show how urgently and constantly I telegraphed for definite instructions on the occurrence of each fresh emergency. And my own official acts will prove how earnestly I strove to maintain the public peace, whilst preserving, as became an officer of the United States army, the strictest impartiality and freedom from political bias. To have acted as a partisan on either side would have simplified my position immensely. But to watch and control as far as possible both sides, and to preserve the public peace without influencing in any way the result of the election, was a task of no little difficulty and danger. The police troubles formed about the most dangerous feature in the condition of affairs in New Orleans. An act of the legislature, recently passed, transferred the control of the police force from the mayor and corporation, in whose hands it had hitherto been vested, into the hands of the Metropolitan Police Board, composed of six members, three white and three colored, the lieutenant-governor of the State presiding. This board appointed a police force of 243 negroes and 130 white men to take charge of the city of New Orleans. The community at large refused to recognize or uphold the authority of a body thus constituted. This fact taken by itself, without entering into any questions of motive or justification, and without more than referring to the generally inferior material, both white and black, (with some worthy exceptions,) from which the men were selected—this fact alone rendered the metropolitan police, as organized, practically worthless, and placed life and property at the mercy of the worst classes in the city. At the slightest appearance of disorder the members of this police, unsupported as they were by public sentiment, stampeded, many of them throwing off their uniforms as they ran. Armed patrols of citizens then took upon themselves the guardianship

of the public peace, adding another element of danger to those already existing. At another time this question might have been left to settle itself, but in the presence of threatened disturbances on all hands, when the governor of the State had surrendered the safe keeping of the city to me, and when positive directions had been transmitted to me through the War Department to preserve the peace at all hazards, I should have fallen short of my duty had I neglected to take prompt and decisive action in the matter. As before stated I had not troops enough to police the city, even had I deemed it consistent with my duties as military commander to undertake this charge. I resorted to measures of compromise and conciliation as the best and wisest mode of attaining the objects I had in view. At my instance the board of metropolitan police appointed General James B. Steedman chief of police, and brought the influence of his name and position to the aid of the civil authorities in preserving the peace. This step alone, in my judgment, tended more to settle matters than any one thing done, and I think it only an act of justice here to thank General Steedman (as the metropolitan police board have themselves done, by formal resolution) for the manly and efficient manner in which he assumed and discharged the duties of that office up to the end of the troubles. The mayor and corporation of the city, declaring the metropolitan police act unconstitutional, insisted upon their right to appoint their own chief and policemen. They commissioned Mr. Thomas Adams, a former occupant of the office under the mayoralty of Mr. Monroe, to the post of chief of police. It was further announced that the metropolitan police were to be forcibly ejected from the office. I immediately sent word to Mayor Conway by my aide-de-camp, Major Russell, that I should hold him responsible for any tumult that might result from his action, and advising him to concur in requesting General Steedman to act as chief of police until after the election, and further to order the chief appointed by him (the mayor) to take no step until further instructed. His honor at once acceded to my wishes. I then advised both parties to test the legality of the metropolitan police bill peaceably in the law courts; and writs of injunction and quo warranto have since been taken out, in pursuance of this advice. I also invited the editors of the local newspapers, without distinction of party, to meet me at my private residence and discuss this same matter, which they did. We talked the subject over in a friendly spirit, and I believe all left with the intention of counselling the people to await the action of the courts. At any rate this was done, the papers all taking a moderated view of the question afterwards, and this was the end of the police trouble.

Coincident with the police imbroglio there were other causes of public uneasiness. From the parish of St. Bernard reports of a highly inflammatory nature were received. A white democratic club in that parish had killed a negro; some citizens had shot a metropolitan policeman. The negroes assembled at night, burnt the house of a leading white democrat and his body with it, drove his wife and little children into the woods, severely beat his sister, and broke the leg of one of his children. These were the facts. Public rumor made them even worse. The excitement in this city went on increasing from day to day, and finally developed into hostile collisions, followed by acts of reprisal and retaliation, white against black, black against white. These acts of violence were generally committed by small parties whom the police alone ought to have been sufficient to detect and arrest. In almost every case the mischief was done and the guilty parties had dispersed before information could reach these headquarters. During the heat of the excitement,

about the 27th of October, Governor Warmoth, General A. L. Lee and myself were speaking of the probability of collisions at the polls on the 3d of November. Their opinion, in which I concurred, was, that if the excitement continued up to the day of election there would be fierce fighting at the polls and a general row all over the city. It was remarked by both these gentlemen that the better course would be to advise the colored people not to vote. This was done, and hence the small republican vote cast in this city and in many of the parishes of the State. It can hardly be necessary for me to more than remark that this was a matter over which I could exercise no possible control. The leaders of the republican party having advised the negroes to stay away from the polls, they stayed away. It was neither in my place nor in my power to hunt up the colored voters, who purposely remained in their houses, and drag them to the polls. Nor is it necessary for me to more than say that I had no share in producing the public excitement which induced the republican leaders to advise the negroes not to vote. The disturbed condition of the public mind was brought about by no action of mine. My duty was simply to aid in checking and suppressing violence to the full extent of the limited means at my command, and to prevent the public peace being broken. This I did. I even made it a personal request to some of the clubs whose names had been publicly associated with acts of violence, that they should aid in preserving instead of assisting in violating the peace of the city; and on one occasion I visited a club called the "Innocents" at the request of their president and vice-president, and addressed them to this effect; after which no more disorders occurred in that section of the city.

A day or two after the consultation with Governor Warmoth and General Lee, at which those gentlemen expressed their intention of advising the negroes not to vote, the public excitement cooled down; the city became comparatively quiet, the democratic clubs pledged themselves to aid in securing to every registered voter the right to cast his vote, and then I had no fear that any man would be molested in voting on the day of election.

During all the excitement, I consulted freely and constantly with the authorities, State and municipal, and had then, and have still, their fullest approval of my action. I also consulted often with Brevet Brigadier General Hatch, chief of the Freedmen's Bureau of this State, and desire to express my thanks for many valuable suggestions received from him when most needed. Though the safe-keeping of several parishes in the State had been delivered over to the military, I still felt it my duty to endeavor to act in and through the proper civil authorities wherever it could be done. I further advised with the democratic leaders and prominent citizens of all shades of opinion, who each and every one seemed desirous that the peace should be preserved. Governor Warmoth, with other leading republicans of the State, made earnest efforts to preserve public order. Among the members of the republican party with whom I consulted were General A. L. Lee, editor of the official journal of the State, various members of the metropolitan board of police, General McMillen, General Sypher, General Kellogg, and General West, deputy United States marshal.

The difficulty was not with such gentlemen as these, but the aid they gave was greatly counteracted by the indiscreet and unwarrantable course pursued by other and unworthy members of the republican party, who, caring little for the government of the United States and less for the permanent reconstruction of the State, sought only their own personal aggrandizement, aiming to do the most offensive things in the most of-



fensive way, and seeming to desire collision and bloodshed as necessary political capital. It is but just to say that the great body of the people of New Orleans are law-abiding and entirely friendly to the government of the United States. Certainly there are exceptions—the evidence of it is written in blood—but the friendly feeling of the people generally has been evinced in many ways, in none more marked than in the respect shown to the military on all occasions. Officers of the army generally, and my staff especially, always find their uniforms ample protection against either violence or the slightest disrespect, and a simple request from them is generally sufficient to disperse large and excited crowds of people. The democratic clubs of the city, numbering, it is said, over 16,000 voters, and including many of the most worthy citizens and the largest property-holders, formally tendered to me their services in aid of the military to preserve the peace of the city. That offer was respectfully declined.

In conclusion I have to express my satisfaction with the manner in which the entire force placed under my command in the city and State discharged their duties in the difficult and trying circumstances in which they were placed. I wish further to acknowledge my great obligation to General Buchanan, in immediate command of the troops, for the prompt and efficient manner in which he discharged all the duties devolving upon him, as well as to all the various officers of my staff for their faithful and untiring devotion to duty. On some occasions, in certain sections of the city, I had to rely upon them almost entirely for information of what was going on, as the police force had abandoned their posts.

I have the honor to be, very respectfully, your obedient servant,

LOVELL H. ROUSSEAU,

*Brevet Major General, U. S. A., Commanding Department.*

General U. S. GRANT,

*Commanding Army of the United States.*

ADDENDUM TO THE REPORT OF OPERATIONS BY BREVET MAJOR GENERAL L. H. ROUSSEAU, COMMANDING DEPARTMENT OF LOUISIANA.

HEADQUARTERS DEPARTMENT OF LOUISIANA,

*New Orleans, Louisiana, November 27, 1868.*

GENERAL: Since forwarding my annual report of operations, I find that I omitted mention of disturbances which took place at Opelousas, parish of St. Landry, Louisiana, about the end of September and beginning of October, 1868, which I supposed had been reported by telegraph to the War Department, but finding that I was in error I herewith send report of the same by way of addendum.

From the report of a staff officer, Captain A. E. Hooker, sent from these headquarters to investigate and report, it appears that on September 28, Emerson Bentley, editor of a newspaper called the *St. Landry Progress*, was badly beaten by three men named James Dixon, S. Mayo, and John Williams. The assaulting parties were never arrested, but a bond was filed and accepted in the sum of \$200 each for their appearance in court on the fourth Monday in October. The negroes arose in mass upon this occurrence, but dispersed and laid aside their arms when told that the men referred to would be dealt with according to law, with the exception of 18, who formed line at Paillet's plantation to resist an attack which was made by a party of white men headed by a man named Lewis.

The first fire was simultaneous. One negro was killed, several were wounded; three whites were wounded, one of their horses was killed, and four horses were wounded.

Fourteen of the negroes were disarmed and taken prisoners; two only escaped. The prisoners were confined in the county jail, and subsequently, during the night of September 29, were taken out into the woods and killed.

The bodies, partially buried, were seen by the staff officer, and one of them was badly mutilated.

There were four other bodies buried in the vicinity, one of which was that of a white man.

It was very difficult to obtain testimony from the negroes, as they were watched and feared punishment if they told what they knew. Every negro was required to have a passport or badge from the democratic committee.

The press and material of the Progress were destroyed during the night of September 28, and Mr. Durand, the French editor, was killed. The civil authorities claimed to be in the supremacy, and agreed with the prominent white citizens that military aid was not at all desirable.

Everything was quiet at the time the staff officer left, and has remained so since.

Since alluding in my annual report to the difficulties which have taken place in St. Bernard parish, 55 negroes, arrested by the civil authorities for alleged complicity in the murder of Pablo Fillio, were brought to this city for trial, were discharged, and have returned to their plantations to their accustomed work.

Since their return some desire has been expressed to re-arrest them by the civil authorities for the same offence, but as yet this has not been carried out. I have found it necessary to keep a body of troops in St. Bernard from the commencement of troubles there up to the present time, to preserve the peace, and especially to protect the colored prisoners against mobs. The officer in command is charged with seeing that no harm comes to the negroes from lawless persons, and not to interfere with either their arrest or discharge by the civil authorities.

I sent a guard with the negroes when they were brought to this city for trial, and upon their return. I gave an escort to an officer of the Freedmen's Bureau, sent by General Hatch to see that the negroes returned quietly and safely to their usual labor, and so far have succeeded in preventing any outrage or disturbance of the peace in that parish since the murder of Pablo Fillio.

The exact number of whites and negroes who were killed or wounded in the outrage committed on October 25, so far as can be ascertained from the report of Brevet Major Kinzie Bates, captain 1st infantry, received since my report was made up, who was ordered to investigate and report, is as follows:

Two white men killed.

Seven colored men killed.

Four colored men wounded, and probably others were killed who have not been heard from.

I have the honor to be, general, very respectfully, your obedient servant,

L. H. ROUSSEAU,

*Brevet Major General United States Army,*

*Commanding Department of Louisiana.*

General U. S. GRANT,

*Commanding Army of the United States.*



HEADQUARTERS DISTRICT OF LOUISIANA,  
*New Orleans, Louisiana, October 1, 1868.*

GENERAL: Pursuant to letter of instructions from headquarters department of Louisiana, dated October 7, 1868, calling for a report of the military operations in this district during the past year, I have the honor to submit the following:

The limits of the command on the first of October, 1867, (date of closing of last report,) embraced the State of Louisiana, the counties of Harrison, Marion, Cass, and Bowie, Texas, and Ship island, Mississippi, commanded by Brevet Major General Joseph A. Mower, colonel 39th infantry, with headquarters in New Orleans, having under him the 1st infantry, 20th infantry, 39th infantry, battery K 1st artillery, and two companies of the 4th cavalry, (temporarily assigned in the district,) stationed as follows:

Headquarters and seven companies 1st infantry, company K 1st artillery, (light,) Jackson barracks.

Two companies 1st infantry, headquarters, and two companies 39th infantry, New Orleans, Louisiana.

One company 1st infantry, Amite, Louisiana.

Headquarters and three companies 20th infantry, Baton Rouge, Louisiana.

Three companies 20th infantry, Shreveport, Louisiana.

The limits of this post extended to Marshall and Jefferson, Texas, at which points were stationed one of each of the above companies:

One company 20th infantry, Alexandria, Louisiana.

Two companies 20th infantry, Monroe, Louisiana.

One company 20th infantry, Vidalia, Louisiana.

Two companies 39th infantry, Forts Jackson and St. Philip, Louisiana.

Three companies 39th infantry, Ship island, Mississippi.

One company 39th infantry, Fort Pike, Louisiana.

One company 39th infantry, New Iberia, Louisiana.

One company 39th infantry, Houma, Louisiana.

One company 4th cavalry, Opelousas, Louisiana.

One company 4th cavalry, Sparta and Homer, Louisiana—making an aggregate of 99 commissioned officers and 1,953 enlisted men.\*

Under instructions from these headquarters detachments of troops from the above stations were yet at most of the parish seats of justice, where they had been ordered to protect the boards of registration, and to assist in preserving the peace of the election on the 27th and 28th of September, as provided for in order from the fifth military district.

The following movement of troops and events occurred during 1867:

*October 3, 1867.*—Company I, 4th cavalry, concentrated at Sparta, Louisiana, and moved to Grand Ecure, Louisiana, to await orders.

*October 4.*—Company A, 39th infantry, abandoned the post of New Iberia, Louisiana, and proceeded to Sedgwick barracks, near this city.

*October 10.*—Companies A and B, 1st infantry, from Sedgwick barracks into the city of New Orleans, Louisiana.

*October 11.*—Company B, 20th infantry, was transferred, on account of sickness, from the camp near Alexandria, Louisiana, about eight miles into the country, to a healthy location in the pine wood region; leaving a sufficient guard to protect stores. It returned to its quarters in the following month. On the 19th and 23d, the detachments of this company heretofore stationed at Natchitoches and Markville rejoined the command.

*October 27.*—Company H, 20th infantry, abandoned the post of Vidalia, Louisiana, and proceeded to Baton Rouge, Louisiana.

*November 2, 1867.*—Company G, 39th infantry, abandoned the post of Houma, Terrebone parish, and proceeded to Sedgwick barracks, Louisiana.

*November 11.*—Company C, 1st infantry, was transferred from Jackson barracks to the post of New Orleans, Louisiana.

*November 12.*—The detachment of the 20th infantry, from the post of Shreveport, Louisiana, heretofore stationed at Mansfield, De Soto parish, was withdrawn and proceeded to Shreveport, Louisiana.

*November 18.*—Company E, 4th cavalry, stationed at Opelousas, Louisiana, was ordered to Monroe, Louisiana, to relieve the infantry garrison of that post; and the same day company I, 4th cavalry, was directed to proceed from Grand Ecure, Louisiana, to Jefferson, Texas, to relieve company D, 20th infantry; which latter company was drawn into the main post of Shreveport, Louisiana. Jefferson, Texas, was also established as an independent post, under command of the cavalry commandant, with a detachment at Bakon, Bowie county, Texas.

*December 3, 1867.*—Major General Hancock, United States army, commanding fifth military district, relieved Brevet Major General Mower from the command of the district of Louisiana, and assigned Lieutenant Colonel Wood, 1st infantry, to that command; and also to duty as assistant commissioner Bureau Refugees, Freedmen, and Abandoned Lands. General Mower, on being relieved, was directed to wait further orders.

*December 7.*—Company F, 20th infantry, was ordered from Monroe, Louisiana, to St. Joseph, Louisiana, under instructions to establish a temporary post at the latter place.

*December 10.*—Company E, 1st infantry, was ordered to abandon Amite, Louisiana, and proceed to New Orleans, Louisiana. On the same day company G, 20th infantry, was ordered to proceed from Baton Rouge to New Iberia, Louisiana, and re-establish a post at that point.

*December 18.*—In compliance with a petition of citizens of Amite, Louisiana, a detachment from the 1st infantry at New Orleans was sent to that place to remain until further orders.

*December 21.*—Company I, 20th infantry, was ordered to proceed from Monroe, Louisiana, to Lake Providence, Louisiana, and establish a post at that place. There being indications of serious disturbances at Young's Point, Louisiana, the commanding officer at Baton Rouge, Louisiana, was ordered to despatch a company of the 20th infantry to that place with instructions to remain until further orders.

*December 23.*—That portion of eastern Texas, comprising the counties of Harrison, Marion, Cass, and Bowie, heretofore forming a part of the district of Louisiana, was transferred to the district of Texas, and company C, 20th infantry, withdrawn from Marshall, Texas, *en route* to Baton Rouge, Louisiana. No further changes or movement of the troops took place during the year 1867.

*January 2, 1868.*—In compliance with instructions from the War Department, and orders from headquarters fifth military district of that date, I assumed command of the district of Louisiana and charge of the Bureau of Refugees, Freedmen, and Abandoned Lands, as assistant commissioner, relieving Lieutenant Colonel Wood, 1st infantry, of those duties.

Upon assuming command I found that, owing to the almost total failure of the crops of the previous season, the peculiar political state of feeling growing out of the anticipated action of the constitutional convention, and the elections to be held under its provisions, the colored people were abandoning the interior parishes, and flocking to those bordering on the river, where their presence was exciting much uneasiness among the planters. Owing to the disproportion of the forces at my

disposal to the extent of territory to be guarded, I found it impossible to wholly comply with the constant application for troops.

*January 6.*—Company A, 33d infantry, reported in obedience to orders from the fifth military district, and was assigned to temporary duty in this city.

Numerous deputations of citizens and petitions were received, expressing fears that serious troubles were impending in the parishes of Washington and St. Tammany. Company E, 1st infantry, was ordered to return to Amite, Louisiana, on the 9th of January, to relieve the detachment stationed there. Upon similar information on the same day, I directed the commanding officer, post of Baton Rouge, Louisiana, by telegraph, to detach a company of the 20th infantry to Point Coupé parish, with instructions to remain until further orders.

*January 10.*—Under instructions from headquarters fifth military district, directing the distribution of the colored troops among the permanent posts of this command, the headquarters of the 39th infantry and one company of that regiment were ordered from Greenville, Louisiana, to Ship island, Mississippi; one company to Fort Jackson, Louisiana, and two to Fort Pike, Louisiana, increasing the garrisons of these posts as follows:

Ship island—headquarters and four companies 39th infantry.

Forts Jackson and St. Philip, Louisiana—three companies 39th infantry.

Fort Pike—three companies 39th infantry; which is the present strength of the above-named posts.

Two companies, K and L, 5th artillery, from third military district, having reported to me, January 16, in obedience to orders from headquarters fifth military district, were ordered to the post of New Orleans for temporary duty. The same day light battery K, 1st artillery, was ordered from Jackson barracks to Sedgwick barracks, Louisiana.

*January 20.*—The commanding officer company I, 20th infantry, reported the arrival of his command at Lake Providence, Louisiana. The necessity for troops at Point Coupé having passed, the company detached from Baton Rouge for temporary duty at that place was directed to return, which it did, arriving at Baton Rouge on the 5th of February. Upon the report of the inspector of the Freedmen's Bureau, that owing to the condition of affairs in St. Landry parish, the presence of a small force would be beneficial in that parish, on the 6th of February the commanding officer at New Iberia was directed to send a detachment of one commissioned officer and 15 men to Opelousas, Louisiana, with instructions to remain till further orders.

*February 7.*—Young's Point was abandoned and the troops transferred to Richmond, Madison parish.

*February 8.*—Company C, 20th infantry, arrived at Baton Rouge, Louisiana, from Marshall, Texas.

*March 16.*—Under instructions from the War Department, Major General Hancock was ordered to Washington, when Brevet Major General J. J. Reynolds, commanding district of Texas, being on duty with his brevet rank of major general, was assigned by General Hancock to command the fifth military district, March 16, 1868. On the 25th of March, Brevet Major General Buchanan, having been assigned to duty with his brevet rank of major general, and being the senior officer on duty, assumed command of the fifth military district, retaining command of the district of Louisiana at the same time.

*March 24.*—I received information from the judge of the district court at St. Francisville, parish of West Feliciana, that two negroes charged with murder were to be tried by his court, and that fears were enter-

tained that, in the event of their conviction, an attempt would be made by the colored people to rescue them from the hands of the civil authorities. Accompanying this statement was a request for the presence of troops to keep order, which request was granted, and the commanding officer post of Baton Rouge, Louisiana, directed to send a detachment of the 20th infantry overland to Bayou Sara, under special instructions.

This detachment returned to Baton Rouge March 29th, having accomplished the desired object. April 6th, Brevet Brigadier General N. B. McLaughlin, captain company I, 4th cavalry, reported to this office in obedience to instructions from fifth military district. He was immediately ordered to Monroe, Louisiana, with instructions to take an escort of cavalry from company E, 4th cavalry, stationed at that post, and directed to march across the country to Homer and Sparta, Louisiana, under special instructions from this office, to remain in that neighborhood for the purpose of preserving the peace during the elections on the 17th and 18th of April, to decide upon the adoption of the new constitution of the State.

He returned April 28th, having accomplished his mission, and reported that the elections, owing to the known presence of troops, passed off quietly in those and neighboring parishes.

On the 7th, the commanding general fifth military district ordered company I, 4th cavalry, to proceed from Jefferson, Texas, to Fort Jessup, Louisiana, for duty in this district. Owing to the sudden death of First Lieutenant I. Allman, 4th cavalry, at Jefferson, Texas, and the absence on special duty of its captain, that company was left without an officer, and Brevet Major B. T. Hutchins, captain 6th cavalry, was on the 8th ordered from fifth military district to report to these headquarters for duty with that company during the absence of General McLaughlin, and was immediately ordered to proceed to Jefferson, Texas, with instructions to march it into this district, taking care to arrive at Mansfield, De Soto parish, by the 17th or 18th of April.

In his report, Major Hutchins states that he arrived at Mansfield on the evening of the 17th, where he was met by a delegation of 500 or 600 negroes, who informed him they were not permitted to march in procession to the ballot-box. He told them such demonstrations would not be permitted, but that they should have a fair and impartial chance to vote. He found from undoubted information "that the negroes were told to come to the polls in a solid body and all vote together;" also from the negroes themselves he learned, "without shadow of doubt," that they were urged to come "*en masse* and also armed." Learning that arms were concealed in town by negroes, he caused a house to be searched, and found 17 loaded muskets stacked, with an armed negro sentinel in front. He further states that he "directed the negroes to come up in small squads—that he was at the court-house till the election was over." No complaint was made to him that any person could not vote, and everything passed off quietly.

The election on the 17th and 18th of April was held amidst the most intense excitement on the part of both opposing parties and the most serious fears were entertained that a violent outbreak of popular passion would produce a terrible riot. With a view to notify the community that I was prepared for any emergency, I caused a review of all the troops in the vicinity to be had in the city on the 16th of April. Not feeling disposed to allow the presence of the troops in the streets during the election itself, unless it should become absolutely necessary for them to act, I ordered them to be kept under arms at their quarters during the entire 48 hours, ready to move at a moment's notice. The precautions

taken, together with the forbearance of the people themselves, caused this election to be the most peaceful, quiet, and orderly of any that had taken place in the State of Louisiana for a great many years, if not ever before. At the close of the polls in this city on Saturday the 18th of April, the whole number of persons under arrest for disorderly conduct during the election was 47, as reported to me by the chief of police. The same state of peace and quiet prevailed during that time in all the parishes of the State, and I have yet to receive an official report of the first case of riot during the progress of that election.

Major General Meade, commanding third military district, having requested that the troops previously lent be returned in time to be at Atlanta, Georgia, during the pending elections in Georgia, company A, 33d infantry, and one company 5th artillery were put *en route* to that point April 20th, and the following day the remaining company 5th artillery was sent. April 22d, company K, 1st infantry, was transferred from Jackson Barracks to New Orleans. It being deemed advisable as a sanitary measure, company I, 4th cavalry, was on the 28th of April ordered from Fort Jessup to Grand Ecore, with subsequent instructions to occupy old "Camp Salubrity" near that place.

The sheriff of the parish of West Feliciana, on the 26th of April made an application for the presence of United States troops at St. Francisville, to be there on the day of the execution of two negroes sentenced to be hung for murder, fears being entertained by him of an attempt on the part of the colored people to rescue them from his hands. A company of the 20th infantry, from Baton Rouge, was ordered to march to that place, with instructions to time their movements so as to be there on the 30th, the day of execution. This was accomplished; and no doubt their opportune presence prevented an outbreak at that time. The troops returned immediately to Baton Rouge.

An inspection of the quarters occupied by the troops garrisoning the city of New Orleans, developed the fact that it would be detrimental to the health of the command to remain in them during the heated season. The headquarters of the post was ordered to be established at Sedgwick barracks, Greenville, Louisiana, on the 8th of May, to which place the troops of the garrison were also transferred, leaving only the necessary guards over public property and buildings in the city.

May 12.—The post of Richmond was also abandoned, and the troops comprising the garrison, (company E, 20th infantry) ordered to Baton Rouge.

The same day St. Joseph was also abandoned, and company I, 20th infantry, its garrison, transferred to Baton Rouge, Louisiana.

These companies arrived on the 25th and 28th of May.

June 10.—Reports having reached me, through the Freedmen's Bureau, of an outrage and arson having been committed on the persons and buildings of negroes, by disguised white men near Monroe, Louisiana, Captain Webb, commanding at Monroe, was ordered to arrest certain parties alleged to have been engaged. They were turned over to the civil authorities for trial, and released for want of evidence.

June 19.—Company I, 30th infantry, was transferred from Ship island, Mississippi, and company A, same regiment, from Fort Pike, Louisiana, to Ship island, Mississippi.

These changes were made on the 22d and 25th of the month.

June 27.—A report having been received through the Freedmen's Bureau that numerous outrages had been committed by white men upon the negroes about Mansfield, Lieutenant Bradley 20th infantry, was ordered to proceed from Shreveport, Louisiana, with 10 enlisted men to

investigate and make arrests if necessary. He reported that a bad state of feeling existed, but that no well-authenticated case of outrage was discovered by him.

Ordnance Sergeant Dan. Wilber, United States army, in charge of Fort Livingstone, having reported to me, on the 25th of June, that a large body of men had landed at the fort from a sloop, under suspicious circumstances, and that they refused to leave there when ordered by him to do so, and also that he feared they would take possession of the ammunition in the magazine, Brevet Major Kinzie Bates, with a company of the 1st infantry, was immediately sent to that point with instructions to arrest the party. He returned on the 30th, having succeeded in securing 74 men, with the sloop, loaded with about ten days' rations for 100 men. These were turned over to the civil authorities, and the proper proceedings instituted against them.

The elections held in this State on the 17th and 18th of April resulted in the adoption of the constitution framed by the convention, and the election of H. C. Warmoth as governor, and O. J. Dunn as lieutenant governor, together with members of Congress, State legislature, and State, parish, and municipal officers. On the 27th of June the commanding general of the 5th military district, in compliance with instructions from the General of the army of the United States, appointed H. C. Warmoth governor, and O. J. Dunn lieutenant governor, *vice* Baker, governor, and Voorhies, lieutenant governor.

Under this provisional form of government the legislature was convened on the 29th of June. The republicans, being in a large majority, immediately proceeded to adopt such measures with reference to contested seats, in both houses, as produced a strong feeling against them. The excitement was so bitter that it was understood to have caused the formation of an organization having for its object resistance to what was considered a usurpation of power, to extend, if necessary, to the breaking up of the legislature, as well as the killing of all the republican leaders.

Early in the morning of the 30th, about 6½ o'clock, I received information *for the first time* which led me to believe that there was imminent danger of a bloody riot occurring that day upon the assembling of the legislature. I was also informed that part of the plan was to fill the Mechanics' Institute, in which the legislature holds its sessions, with a body of desperadoes, who would take possession of all the building not actually occupied by the members of the two houses. I immediately gave directions that the entire police force of the city should be subject to my commands, with instructions to them to clear out from the building everybody not immediately connected with it, and to hold it until my troops should relieve them. As soon as the troops arrived I took possession of the streets leading to the Institute, and allowed no person to approach the building whose position did not give him a right to be present there. These precautions were timely. The troops were in position by 10 o'clock a. m., the legislature assembled at 12 m., and perhaps the most bloody and fearful riot that has ever occurred in this country was prevented.

The troops were kept on duty in the city until perfect quiet was restored, and the excited feelings of the people were calmed down to the proper tone.

*July 1.*—Captain Webb 4th cavalry, commanding at Monroe, Washita parish, reported that in compliance with instructions from headquarters district of Louisiana, of June 12, 1868, he detached Lieutenant Scott, with a detail of 10 enlisted men, to proceed to Homer, Claiborne par-

ish, to make a thorough investigation of the outrages and lawless acts which had from time to time been reported to this office, and to report to Judge J. N. Scott, of the district court of that parish, to assist the civil authorities in making arrests if necessary. Lieutenant Scott reported that the judge was perfectly able to make any arrests, and was very much astonished at troops being sent to that place for such purposes; also, that the parties accused of committing lawless acts had either been arrested and punished or escaped from the district to parts unknown.

*July 13.*—The commanding general 5th military district announced in orders that "the 14th constitutional amendment having been ratified by the State legislature, military authority would no longer be exercised under the reconstruction acts in this State, and that civil law was once more supreme." Officers in command of troops were forbidden to interfere in civil affairs unless upon proper application from the civil authorities to preserve the peace.

*July 26.*—The detachment of 20th infantry stationed at Opelousas abandoned that sub-post and proceeded to New Iberia, Louisiana, arriving on the 29th.

On the 4th of August was received at headquarters, 5th military district General Orders No. 55, dated Headquarters of the Army, War Department, Washington, July 28, 1868, reorganizing the military districts and departments, directing that "the States of Louisiana and Arkansas will constitute the department of Louisiana. Brevet Major General L. H. Rousseau is assigned to the command, headquarters New Orleans, Louisiana. Until the arrival of General Rousseau at New Orleans, Brevet Major General Buchanan will command the department." The same order directed that Brevet Major General Edward Hatch, colonel 9th cavalry, relieve Brevet Major General Buchanan as assistant commissioner of the Freedmen's Bureau. In compliance with the orders from the War Department, the same day the commanding general of the department of Louisiana (new designation) issued his order defining the limits of the same, which comprised the States of Louisiana and Arkansas, each to compose a military district.

On the 24th of August Brevet Major General Hatch arrived and relieved Brevet Major General Buchanan as assistant commissioner of the Freedmen's Bureau.

*September 15.*—Brevet Major General Rousseau arrived at New Orleans, when I relinquished the command of the department of Louisiana to him.

The near approach of the presidential election, with the issues involved, having a tendency to further excite the bitter feelings between the two political parties in this State, has often led to serious apprehensions of collision and riot. Especially has this been the case in New Orleans, where, as in all large cities, there exists an element more or less inimical to a peaceful political campaign, and in this place with feelings intensified by its peculiar social status.

I have therefore, on occasions of political demonstrations of either party, taken the precaution to make such disposition of the military as would in any event preserve the peace and prevent outrages, by overawing this turbulent element. I am fully satisfied that to these precautions we are indebted for the quiet manner in which the several large political processions have paraded through the streets during the past month.

At the close of this report (September 30, 1868,) the military organiza-

tions under my command in this district are the same as given on the 1st of October, 1867, distributed as follows :

Headquarters and five companies 1st infantry, Jackson barracks.

Four companies 1st infantry, Sedgwick barracks, post of New Orleans, Louisiana.

One company 1st infantry, Amité, Louisiana.

Headquarters and five companies 20th infantry, Baton Rouge, Louisiana.

One company 20th infantry, Lake Providence, Louisiana.

One company 20th infantry, Alexandria, Louisiana.

Two companies 20th infantry, Shreveport, Louisiana.

One company 20th infantry, New Iberia, Louisiana.

Headquarters and four companies 39th infantry, Ship island, Mississippi.

Three companies 39th infantry, Fort Pike, Louisiana.

Three companies 39th infantry, Forts Jackson and St. Philip, Louisiana.

Light battery K, 1st artillery, Sedgwick barracks, post of New Orleans, Louisiana.

One company 4th cavalry, Grand Ecure, Louisiana.

One company 4th cavalry, Monroe, Louisiana.

Aggregate strength, 107 commissioned officers, 2,080 enlisted men.

I am, sir, very respectfully, your obedient servant,

ROBT. C. BUCHANAN,

*Breret Major General U. S. A., Commanding.*

Brevet Brig. Gen. THOMAS H. NEILL, U. S. A.,

*Acting Assistant Adjutant General, Dep't of Louisiana.*

#### HEADQUARTERS DEPARTMENT OF LOUISIANA,

(STATES OF LOUISIANA AND ARKANSAS,)

*New Orleans, Louisiana, November 21, 1868.*

GENERAL: I have the honor to forward herewith a report of operations of troops in the district of Arkansas, which should have been sent as an appendix to my report of operations for the year, and which was inadvertently omitted.

Very respectfully, your obedient servant,

LOVELL H. ROUSSEAU,

*Breret Major General U. S. A., Commanding.*

General U. S. GRANT,

*Commanding Army of the U. S., Washington, D. C.*

#### HEADQUARTERS DISTRICT OF ARKANSAS,

*Little Rock, Arkansas, October 25, 1868.*

GENERAL: In reply to communication from headquarters department of Louisiana, dated October 8, 1868, directing that a report of the operations of this command, from the time it became a portion of the department of Louisiana, to the present date, be forwarded, I have the honor to report that there has been no movement of troops in the State since it became a portion of the department of Louisiana.

On the 29th day of September I reported rumors of disturbances in Fulton county, and my instructions to the post commander at Bates-



ville, Arkansas, in the matter. I herewith forward his report of the investigation.

About the 27th day of September, on the occasion of General T. C. Hindman's assassination, and some other serious irregularities at Helena, frequent applications were made through the governor for troops to be sent to that place, but upon investigation I became satisfied that the case was not of importance enough to require any attention.

On the 18th of September N. T. Carroll, deputy collector of revenue at Lewisville, Lafayette county, made application to the post commander at Washington, Arkansas, for a force of 50 men for the purpose of enforcing the revenue laws. The application was forwarded for instructions, and I returned it with an endorsement that "no action would be taken until further orders." My purpose was to wait answer to my letter of October 1, 1868, in which I had asked for instructions to govern me in such cases. I am satisfied that the application originated in a general desire to have troops stationed at that point, and as I have not heard of any troubles there since, I do not propose to take any further action in the case. There was a time, however, when affairs were very unsettled, both in that county and Columbia, and had I felt authorized to act as I now do, I should have sent small detachments of troops to both of them; the necessity may and is likely to recur, and whatever action I may take will be promptly reported.

I am, general, very respectfully, your obedient servant,

C. H. SMITH,

*Colonel 28th Infantry, Bvt. Maj. Gen. U. S. A., Commanding.*

Brevet Brigadier General THOS. H. NEILL,

*A. A. A. G., Department of Louisiana, New Orleans, La.*

HEADQUARTERS DEPARTMENT OF LOUISIANA,  
*New Orleans, Louisiana, November 20, 1868.*

A true copy:

NATHANIEL BURBANK,

*Second Lieut. 37th Inf., Bvt. First Lieut. U. S. A., A. A. A. G.*

HEADQUARTERS POST OF BATESVILLE,  
*October 3, 1868.*

LIEUTENANT: I have the honor to report my investigation of the late difficulty in Fulton county, on the 22d and 23d ultimo. The sheriff of said county arrested Nor Baker, T. W. Baker, Bush, Tracy, Bryant, Jim Archer, and Hunter, for being implicated in the murder of Simpson Mason, registrar of Fulton county.

On the 23d ultimo a certain Captain Monck of Missouri, with about 90 men, came into the State and proceeded to Harbon's store, on Burnett's bayou, 20 miles from Salem, where the prisoners were under guard, and demanded and obtained from the sheriff, who was unable to resist, the prisoners Bryant, Bush, T. W. Baker, and Tracy.

The rest of the prisoners were released by the sheriff. On the 28th ultimo Mr. Elisha Baxter, circuit judge, issued a writ of habeas corpus for the prisoners in the hands of Monck and his men, which was served by deputy sheriff T. P. Tames, who, in conversation with myself, gave me the following particulars: That he proceeded with three men on Monday evening to Harris and Tracy's, on Bennett's bayou, and was

told by Monck that Bryant had informed on the rest of the prisoners, accusing them of being the murderers of Simpson Mason, in consideration of which he had released Bryant; the other prisoners were given over to the custody of the deputy sheriff. Monck also stated that there were others implicated in the murder whom he would not name.

The deputy sheriff started with the prisoners for Salem, and had gone about one mile and a half when he was met by 50 armed men—the time two hours after dark—who demanded the prisoner Bush. The deputy sheriff asserts that he and his party were covered by the pistols of these men, and he was powerless to act in the defence of the prisoners. Bush threw up his hands and cried out, “for God’s sake do not kill me!” Three men then seized the bridle of his horse and started down the road with him, followed by the remainder of the assailing party. The deputy sheriff further adds that he watched them until they had gone about 20 paces, hearing Bush imploring continually for his life. The deputy sheriff then started for Salem with the other prisoners. When he had gone about half a mile he heard the report of fire-arms, about five in number. He finally reached Salem, where the prisoners were turned over to Judge Baxter and the justice of the peace, who released them. The dead body of Bush was afterwards found in the woods.

The advent of Monck into the State has caused an intense excitement. Citizens who were formerly in the rebel army congregated from the several counties into Fulton to the amount of 600. They organized themselves into a band, with a leader, and a certain degree of discipline. They claimed their object was to obtain the prisoners from Monck, to be tried by the civil authorities. Late in the night of the 28th ultimo, or early in the morning of the 29th, Monck returned to Missouri, followed by a portion of the armed citizens to the line.

On my arrival in Fulton county the armed citizens had just started for their different homes. In conversation with the citizens of Fulton county I find that a great uneasiness exists; while one party fears that Monck will again come into the State, the other is equally anxious lest a Union man may be shot to revenge the death of Bush, thus causing a system of retaliation on both sides. There is great excitement in this county in regard to the recent events in Fulton. I apprehend serious trouble if Monck again comes into this State, from the fact that in six hours 600 armed men assembled in Fulton county to resist him.

I am, lieutenant, very respectfully, your obedient servant,

DENNIS CAWLIN,

*First Lieut. 19th Infantry, Commanding Post.*

Lieutenant S. M. MILLS,

*A. A. A. G., District of Arkansas, Little Rock, Arkansas.*

HEADQUARTERS DEPARTMENT OF LOUISIANA,

*New Orleans, Louisiana, November 20, 1868.*

A true copy:

NATHANIEL BURBANK,

*Second Lieut. 37th Inf. Brevet First Lieut. U. S. A.,*

*A. A. A. G., Department of Louisiana.*

REPORT OF BREVET MAJOR GENERAL GEORGE STONEMAN, COMMAND-  
ING FIRST MILITARY DISTRICT.HEADQUARTERS FIRST MILITARY DISTRICT,  
STATE OF VIRGINIA,  
*Richmond, Va., October 31, 1868.*

GENERAL: In obedience to instructions, I have the honor to furnish for your information the following annual report, embracing the period from June 1, 1868, when I assumed command, up to date.

The system inaugurated and the policy pursued by my distinguished predecessor, having by long experience been found complete and satisfactory, the one was adopted and the other followed, with such modifications in details as circumstances arising from time to time seemed to demand.

The convention convened in accordance with the provisions of the reconstruction laws, for the purpose of forming a constitution for the reconstructed State, after completing its duties and providing that the results of its efforts should be submitted to the vote of the people on the third of June, for ratification or rejection, had adjourned; Congress was still in session, but having failed as yet to make appropriations of moneys necessary to defray current expenses, reconstruction had consequently been suspended. Subsequently the appropriations were made, but no date having been fixed upon for submitting the constitution to a vote of the people, reconstruction has remained suspended up to the present.

One of the first questions that presented itself for careful and anxious consideration was connected with the adoption of the fourteenth article of the constitutional amendment. The provisions of this article, it was thought by some, vacated every office in the State filled by persons who came within its provisions. To fill these vacancies it would be necessary to find, 1st, persons who could take the test oath of office prescribed by the reconstruction laws; 2d, that they should be competent for the position; 3d, that they should be willing to accept the appointments, and 4th that they should be able to give the requisite securities.

My predecessor had made 532 appointments (very many of them minor positions) to vacancies caused by death, resignation or removal, and in doing so had very nearly exhausted the available material at his disposal. But one vacancy on the bench had occurred, and to fill this it had been deemed necessary to resort to the officers of the army to find a person fit for this important and responsible position.

This instance is cited as an example to show the evident impossibility of carrying on the government of the State upon the assumption that the thousands of officers in the district, embracing State officers, judges, sheriffs, commissioners, commonwealth's attorneys, magistrates, &c., not to speak of the large number of town and municipal officers, such as mayors, councilmen, aldermen, constables, overseers of the poor, and others, should suddenly cease in the performance of their functions, with no possibility of filling their places under the provisions of the reconstruction laws.

In some instances it has been found absolutely impossible to find any person upon whom an appointment could be conferred, and the difficulty has been overcome by devolving the performance of the duties upon persons who were not opposed to reconstruction nor disloyal to the government of the United States.

In this connection I beg leave to call your attention to a letter from these headquarters to yourself, dated June 27, 1868, recommending the repeal of the ninth section of the act of Congress passed July 19, 1867, while seeking for some remedy for the evils which it was feared, with reason, might ensue, the question by non-action substantially settled itself, and very possibly this result was promoted by my opportune absence from the State immediately subsequent to the adjournment of Congress, and things moved on as before under the provisions and requirements of the reconstruction laws, then and now in full operation.

The forces at my disposal on assuming the command of the district consisted of the eleventh, twenty-first, and three companies of the twenty-ninth infantry, one company of the fifth cavalry, one battery and one company of the fifth artillery. This force was distributed over the district at 16 posts and stations and numbered 121 officers and 2,033 rank and file; of the officers 17 were absent from their commands without the district; 21 were on detached service as military commissioners, sub-assistant agents of the Freedman's Bureau and on other duties, leaving 83 on duty with the troops.

As soon as it became certain that no elections were to be held until Congress should reassemble and act upon the subject, which it was presumed would probably not be before the first Monday in December, arrangements were made to bring in most of the officers on duty as commissioners, agents, &c. This was done by consolidating military jurisdictions, and placing the consolidated districts under the control of post commanders as far as possible, so that at this time but four officers are absent from their companies on duty as military commissioners.

The duties of military commissioners and bureau agents being found incompatible, when performed by the same officer, those agents who were performing the duties of commissioners were relieved from the performance of the latter, and the duties devolved upon post commanders. Besides returning the officers to duty with the troops, this change served greatly to reduce the current expenses incident to carrying out the requirements of the reconstruction laws.

Since August the forces in the district have been reduced by sending the squadron of cavalry to the plains, the battery of artillery to Washington, and the twenty-ninth infantry to the State of Tennessee, and the companies that remain have been greatly depleted by reason of the number of men discharged on account of expiration of their terms of service. A large number will be discharged during the next three months, and consequently by the first of January next the whole number in the district will be much below one thousand aggregate.

Among the more important questions that have presented themselves for consideration are the Methodist church contest, commonly known as the Baltimore conference question; the removal of Randolph Macon college from Boydton to Ashland, the payment of the State semi-annual interest, the payment of the small note issue by the city of Richmond; the collection of the dues to the State by the different railroad companies; the appointment of State proxies and directors; the apportionment of taxes; the extension of the stay law, and the holding of an election for presidential electors.

In the consideration of these and other questions, the principle has been observed and followed of discountenancing any radical changes in the existing status of affairs, and thereby making as little business for the bar and the bench in future as possible. It has not been thought advisable to supersede or interfere with the action of civil officers except in cases of extreme necessity, as the doing so would have a tendency to

relieve them from direct responsibility, and accustom offenders to respect only temporary military rule, rather than permanent civil law, and besides, as it costs nothing to appeal to the military, there would be no end to the number of questions it would be called upon to entertain, many of them embracing points and questions of law and equity upon which but few army officers are competent to decide.

After a careful investigation of the Baltimore conference question, and an able opinion thereon by the judge advocate, Colonel H. B. Burnham, it has been deemed advisable not as yet to make any order thereon. The investigation shows that it embraces many delicate questions of law, both statute and ecclesiastical, and is one that can only be settled by the decision of the highest civil tribunals, or by legislative enactments.

Special cases as they have arisen have been settled upon the principle of recognizing the claims of both contestants, and giving to each the right of occupancy on alternate weeks.

Randolph Macon College, incorporated in 1830, was by its charter located at Boydton, Virginia, a point at this time remote from any of the railroad or other lines of communication. Early in July application was made to these headquarters by the board of trustees of the college for authority to remove it to Ashland, in this State. Feeling convinced that its removal was in accordance with the almost unanimous wish of the Methodist society, and demanded by the cause and interests of education, authority, or such authority as invested in the district commander, was granted, and the college was removed. It was, however, distinctly stated to, and understood by, the board that their action would be subject to future legislation, and the decision of the courts, and it was required to give indemnifying bonds in case the removal was objected to or contested.

From various causes the State treasury was on the 1st of July found to be in so depleted a condition as to render it impossible to pay the semi-annual interest on the State bonds. The district commander was applied to for authority to raise the means by negotiating a loan. It not being thought expedient or judicious to increase the present burdensome debt of the State, the authority was withheld and the interest remains unpaid.

In the beginning of hostilities, the city of Richmond issued several hundred thousand dollars in small notes, to supply the then existing demand for small change. These small notes were sold for the current funds of the time, and the proceeds spent for various purposes, some of which, it is alleged, were for carrying on the war. A proposition was entertained by the present common council of Richmond to reduce these small notes by issuing city bonds, running thirty years, but the legality of the issue never having been settled by any competent tribunal, the issue of the bonds was discountenanced by the district commander, and action by the council has been suspended.

Arrangements have been made with most of the railroad companies, advantageous to them as well as to the State, by which it is hoped that they will be able to pay up in a reasonable time their dues to the treasury. This arrangement contemplates that one-third shall be paid in currency, and the other two-thirds in State bonds.

The appointment of proxies and directors for the State, the apportionment of taxes, and the extension of the stay-law, are not yet determined, and are questions for further consideration.

In regard to the election of presidential electors, the following correspondence will give you all the information necessary upon the subject:

RICHMOND, *October 10, 1868.*

GENERAL: The undersigned have been appointed a committee by the State central conservative committee of this State to confer with you on the subject of holding an election in Virginia for the offices of electors of President and Vice-President of the United States. We are not aware of any law which forbids such an election. We beg leave respectfully to say, in behalf of the people of Virginia, that we think their voice ought to be heard in the election of the chief officers of the country, and, therefore, we request that a poll be opened in conformity with the ancient and established custom.

We know that the legality of such an election is a disputed question; but, believing that the suffrages of the people of Virginia should be counted with those of all the qualified voters of all the States, according to the Constitution of the United States, we do earnestly ask that our people be allowed to vote, leaving the legality of such election to be hereafter determined by the proper tribunal.

Respectfully, your obedient servants,

RO. OULD,  
MARMADUKE JOHNSON,  
THOS. J. EVANS,

*Committee.*

General GEORGE STONEMAN.

#### HEADQUARTERS FIRST MILITARY DISTRICT, STATE OF VIRGINIA,

*Richmond, Virginia, October 13, 1868.*

GENTLEMEN: I have the honor to acknowledge the receipt yesterday of yours of the 10th instant, in regard to the holding of an election of presidential electors for President and Vice-President at the coming presidential election, and have given it the attention which time will permit, an early reply having been suggested by yourselves in our personal interview.

The Constitution of the United States provides that electors for President and Vice-President shall be chosen or appointed in such manner as the legislature of each State may direct. Referring to the laws of Virginia upon the subject, I find that the provisions are plain and explicit, and that the initiation and control of it are in the hands of the executive of the commonwealth, and to him you are respectfully referred, if I rightly interpret your meaning conveyed in your request "that a poll be opened in conformity with ancient and established custom."

You say that you "are not aware of any law which forbids such an election." Can you cite me any law authorizing me, as military commander, to order or authorize such an election?

The only law which gives district commanders any control over the civil or political affairs of any State, is the act of Congress passed March 2, 1867, and the acts supplemental thereto, and neither of these acts contemplates or provides for any action of district commanders in presidential elections, and even if they did the questions would arise how are the elections to be conducted? who are to vote at them? and from whence are the means to be derived to carry them on?

You ask for permission to hold the election. Permit me to call your attention to General Orders No. 82, from the headquarters of the army, dated October 10, 1868, and to suggest the remark that if district commanders cannot prohibit they cannot permit in the sense of order or authorize or give official sanction.

You state that the legality of the election is "a disputed question." If so, it may safely be left for decision with the proper authorities. There would be no doubt in regard to its legality if ordered or authorized at this late date. Without in any manner expressing any opinion upon the propriety, right, or duty of the people of Virginia, or any portion of them, at this time to peaceably form and ballot for any persons for electors for President and Vice-President of the United States, I take the occasion to suggest the inquiry whether or not the adoption of any course of procedure calculated to excite and disturb the public mind would be wise or prudent.

My duties are plain and marked out by the law placing me here, and confined to protecting all persons in their rights of person and property, to suppress insurrection, disorder and violence, and to punish or cause to be punished all disturbers of the public peace and criminals; and to obey the lawful orders of my properly constituted superiors.

Very respectfully, your obedient servant,

GEORGE STONEMAN.

*Brevet Major General U. S. A., Commanding.*

Messrs. ROBERT OULD, MARMADUKE JOHNSON, and THOMAS J. EVANS.

A movement was set on foot in the latter part of July, by certain parties, to bring about the reassembling of the convention with the view of securing an early vote upon the constitution, but better counsels prevailing, action was suspended, and finally the subject was dropped.

A writ of *habeas corpus* has been applied for, and, it is understood, granted, the object being to test the legality of the action of the district commander in regard to the fourteenth article of the constitutional amendment. What the result will be remains to be determined.

The affairs connected with the Bureau of Refugees, Freedmen, and Abandoned Lands in this State have been managed with ability and discretion, reflecting great credit upon the able and upright assistant commissioner, General O. Brown, and to his report you are respectfully referred for any information you may desire upon that subject. His subordinates have, as far as I am informed, performed their thankless duties to the general satisfaction of those concerned, and have sought, as far as was in their power, to see that justice was done and the rights of the negroes were protected. In doing this they had on the one hand ignorance to deal with and instruct, and on the other prejudice to contend against and overcome. Instances, though rare, have been brought to my attention where violence had been used toward them; but these cases were confined to individuals, and not chargeable to communities. The abuses practiced toward the negroes that have been reported by the bureau agents have been in all instances investigated by the military commissioners, and the civil authorities have been required to see that justice was administered. As the law now stands, and in accordance with its requirements, many of the functions of the bureau will cease on the 1st of January next. In consideration of the unreconstructed condition of the State, with no legislature to make laws or regulations or appropriations of moneys, with an exhausted treasury and an apathetic people, its further continuance in some modified form becomes an important matter, worthy the early attention of Congress.

Your attention is respectfully and particularly called to the reports of the senior staff officers in the department, herewith transmitted. It will be perceived that expenses have been reduced to the lowest possible figure, those incurred in reconstruction having been reduced to less than \$1,600 per month, which will not, in all probability, be materially increased until registration is resumed and an election ordered by Congress.

Supplies of all kinds have been abundant in quantity and excellent in quality. The troops are all in good quarters, and it will require but a few hundred dollars in repairs to make them comfortable and suitable for winter. By reference to the report of the medical director it will be perceived that the health of the command during the past year has been remarkably good, and the report of the inspector general shows that its discipline is daily improving.

A reference to the report of the judge advocate will show the large amount of business that passed through his hands during the year, and a corresponding amount has been performed by the assistant adjutant general and the chief paymaster of the department, much of it incident to the performance of duties connected with reconstruction.

The officers, both civil and military, have in general performed their duties with a willingness worthy of commendation, and to this, together with the respect for law and love of justice manifested by the people, white and black, is due the quiet and good order that reign throughout the commonwealth.

I am, general, very respectfully, your obedient servant,

GEORGE STONEMAN,

*Brevet Major Gen. U. S. Army, Commanding.*

General U. S. GRANT,

*Commanding Army, Washington, D. C.*

ACTING ASSISTANT INSPECTOR GENERAL'S OFFICE,  
HEADQUARTERS FIRST MILITARY DIST., STATE OF VIRGINIA,  
*Richmond, Va., October 24, 1868.*

COLONEL: In accordance with instructions from headquarters first military district, of October 17, 1868, calling for the annual report of operations in the department under my charge, I have the honor to report that immediately on receipt of General Orders No. 56, headquarters first military district, State of Virginia, June 19, 1868, appointing me acting assistant inspector general, in place of Brevet Lieutenant Colonel George Gibson, jr., captain 11th United States infantry, I entered upon the performance of my duties, commencing a tour of inspection on June 22.

The posts that had been visited in the first part of June by my predecessor were not inspected by me.

During my first tours of inspection I observed that the requirements of Revised Regulations United States Army, in some minor details affecting the interior economy of the companies, were not in all instances enforced, that the company records and company fund books were not kept in a proper or uniform manner, and that the proceedings of the post councils of administration were incorrect in matter as well as form; but, under the instructions given to the proper officer, these records are now properly kept at the different posts, with a few exceptions—of which, however, at the next inspection I anticipate to be able to report more favorably. My inspections also disclosed the fact that the requirements of Revised Regulations United States Army, in regard to the duties and detail of an officer of the day, were disregarded at many posts in this district. At one post, though three officers were present for duty, no detail of an officer of the day was made, and the guard book did not indicate that the guard was visited or inspected day or night. This was also applicable to other posts where two officers were present, but the explicit instructions given to commanding officers of posts during my last tour will insure their observance in future.

Several officers on duty as military commissioners have recently been relieved and ordered to join their companies, thus rendering the services of the troops in this district more efficient, and while enlarging the divisions of the remaining commissioners in area, their duties were not proportionably increased, the more settled state of civil affairs having so reduced the number of cases brought under their jurisdiction.

At each visit I have made very minute inspections of the condition of the posts in all respects, and in many particulars I can report an improvement. I find the discipline and police of most of the posts good, and have noticed that the prescribed military observances are more regarded at some of the one-company posts than heretofore.

I have also made an examination into the amount and kind of repairs required to place the quarters for troops at the different posts in a suitable condition for winter occupancy, and I find that the estimate of material required involves a very small expenditure of public funds.

Since the department has been under my charge the Libby has been abandoned as a military prison, and possession given to the owners. The posts of Huguenot Springs and Lexington have been broken up, and the companies stationed there have been sent respectively to Camps Grant and Schofield.

I have the honor to be, colonel, very respectfully, your obt' servant,

D. WOODRUFF,

*Lieut. Col. 9th U. S. Inf., Acting Assistant Inspector General.*

Brevet Colonel S. F. CLAFLIN,

*Assistant Adjutant General, First Military District.*



HEADQUARTERS FIRST MILITARY DISTRICT,  
JUDGE ADVOCATE'S OFFICE,  
Richmond, Va., October 22, 1868.

GENERAL: I have the honor to be in receipt of a letter from the acting assistant adjutant general, informing me that you desire to have my annual report of operations in the department under my charge; and, in compliance therewith, I beg leave respectfully to make the following report for the year commencing on the 22d day of October, 1867, and ending 22d day of October, instant, to wit:

Number of letters sent.....	92
Number of letters received.....	532
Number of civil matters received.....	629
Number of cases received and referred for trial by general court-martial.....	321
Aggregate number of endorsements, opinions, &c.....	854
Number of civil cases reviewed and returned to the assistant adjutant general, first military district.....	435
Number of civil cases filed.....	23
Reports of military commissioners (civil cases) examined and filed.....	8
Number of civil cases filed with other cases.....	50
Number of civil cases referred to military commissioners.....	31
Number of civil cases under consideration.....	61
Proceedings of courts-martial forwarded to judge advocate general.....	801
Number of general orders publishing from judge advocate's office first military district.....	103
Number of cases publishing from judge advocate's office first military district in orders.....	470
Number of cases now on hand to be published.....	3
Number of cases referred to the Judge Advocate General.....	1
Number of military cases filed.....	14
Number of general orders now in printing office from this office..	5

For assistance in the performance of my official duty I have been much indebted to the intelligence and ability of my assistant, Captain C. Rodney Layton, 11th United States infantry, brevet major United States Army, whom I respectfully recommend to your favorable consideration.

I would also beg leave to add that by virtue of special order from these headquarters, No. 124, current series, 1867, dated September 11, 1867. I was "detailed for duty as judge of the court of hustings for the city of Richmond, Virginia," in addition to my duty as judge advocate of this district; and that, in obedience to such detail, I entered upon the immediate discharge of the duties of said office, and have continued to exercise the same to this date, holding a twenty days' term of such court during each month since such detail. For the more particular statement of the business therein transacted during said time, I respectfully invite your attention to the report thereof furnished by Ro. Howard, esq., clerk of said court, which is hereunto attached. The novel and varied duties thus imposed, including actions at law and in equity, involving complicated questions and large amounts, as well as the probate of will, qualifications and appointments of administrators and guardians, and trial of all cases of felony arising within its jurisdiction, have constituted an amount of business believed to be larger than any court within the district.

I am, general, very respectfully, your obedient servant,

H. B. BURNHAM,

*Bvt. Col., Judge Advocate U. S. A., and First Military District.*

Brevet Maj. Gen. GEORGE STONEMAN, U. S. A.,

*Commanding First Military District.*

RICHMOND, *October 21, 1868.*

DEAR SIR: From the commencement of the September term, 1867, of the hustings court of this city (when you first took your seat on the bench) up to this day, there has been disposed of in the said court the following amount of business:

Suits on quarterly court docket ended.....	421
Garnishee summonses ended.....	217
Unlawful detainers ended.....	96
Judgments on forthcoming bonds.....	85
Judgments on attachments.....	48
Judgments on appeals.....	18
Judgments on motions for money, &c.....	14
<hr/>	
Making of civil suits of all kinds.....	899
<hr/>	
There have been also decrees entered in chancery cases.....	94
Wills admitted to probate and recorded.....	21
Qualifications of executors, administrators and guardians.....	85

Within the same time there have also been disposed of 222 cases of felony.

Besides the above enumerated cases there have been many other motions and other legal proceedings had and disposed of in the court, which cannot well be classified or enumerated, because of their almost infinite variety.

Very respectfully, yours,

RO. HOWARD,  
*Clerk of Richmond Hustings Court.*

HON. H. B. BURNHAM.

CHIEF QUARTERMASTER'S OFFICE FIRST MIL. DIST.,  
*Richmond, Virginia, October 24, 1868.*

COLONEL: In compliance with your communication of the 17th instant, I have the honor to submit the following report of the operations of this department from June 1, 1868.

In addition to the various duties incumbent upon me as chief quartermaster, I have been in charge of the construction of the national cemeteries at Richmond, Glendale, Fort Harrison, Cold Harbor, Seven Pines, Fredericksburg, Poplar Grove, City Point, Hampton, Yorktown, Winchester, Staunton, Culpeper Court House, and Danville, as well as the task of securing to the United States good and valid title deeds in fee simple for the different sites appropriated.

The cemeterial operations in this military district are drawing rapidly to a close. With the exception of the large cemeteries at Poplar Grove and Fredericksburg, Virginia, where some additional interments are yet to be made, the exhumation and removal of the remains of United States soldiers to their final resting-place has been completed. All of the different national cemeteries are in a thorough state of repair, and capable of resisting the rains and storms of the coming winter season.

The greater portion of the quartermaster's stores required for use and issue to the troops on duty in this military district has been regularly furnished on my monthly and quarterly estimates, and shipped from the north, in bulk, to the depot of Fort Monroe, Virginia.

Forage and straw have been purchased under contract at very reasonable rates. Contracts have also been entered into to supply each post with the requisite quantity of merchantable oak wood for the period of 12 months.

The system of purchasing articles by the different acting assistant quartermasters, on the order of the post commander, is objectionable, and in no wise attended with economy. It makes it impracticable for the chief quartermaster to prepare an accurate money estimate on the first of the month, and stores are too often purchased that could, on timely requisitions, have been issued from the stock on hand at depot.

The troops stationed at Camp Grant, Camp Williams, Petersburg, Farmville, Lynchburg, Marion, Warrenton, and Fredericksburg, draw their supplies direct from this city; those on duty at Williamsburg, Norfolk, and Camp Hamilton from the depot of Fort Monroe, and the posts of Alexandria and Winchester from Washington, D. C.

At the following posts the troops are quartered in barracks, the property of this department, viz: Camp Grant, Camp Williams, Petersburg, Farmville, Camp Schofield, Marion, Camp Hamilton, Norfolk, and Alexandria. Quarters are rented at Williamsburg, Warrenton, Fredericksburg, and Winchester. These quarters are generally in good condition, and can be placed in suitable condition for winter occupancy at a small expense.

The moneys received and disbursed from the 1st of June, 1868, to September 30, 1868, are as follows:

On hand June 1, 1868 .....	
Received from treasury and other sources .....	\$205, 794 53
Total .....	205, 794 53
Expend for services, including cemeterial expenses, mileage, court-martial expenses, &c.....	\$79, 260 78
For fuel, forage, and building material, (contract purchases).....	26, 820 69
For ditto, including the purchase of sites for national cemeteries, (open market) .....	20, 566 32
For transportation, rail and river .....	11, 458 52
Transferred to Colonel Janes and treasury.....	33, 171 50
Balance on hand September 30, 1868.....	34, 516 22
Total.....	205, 794 53

The public animals in this district are in good serviceable condition, and amply sufficient for the transaction of business at this place and other points throughout the State. All such as did not meet the requirements of the service, as well as all surplus and unserviceable stores, have been disposed of at public auction at very fair rates.

The enforcement of general orders appertaining to retrenchment has been zealously and effectually carried out, and the expenses reduced to the lowest figure consistent with the efficient working of this department.

Very respectfully, your obedient servant,

JAS. M. MOORE,

*Bvt. Lt. Col., Q. M. U. S. A., Chief Q. M. First Mil. Dist.*

Brevet Colonel S. F. CHALFIN, U. S. A.,

*Assistant Adjutant General First Military District.*

*Statement of public funds received, expended and on hand, by Brevet Lieutenant Colonel James M. Moore, chief quartermaster first military district, Richmond, Va., from June 1 to September 30, 1868, inclusive.*

On hand June 1, 1868.....	.....
Received from treasury and other sources in June.....	\$81,529 90
Ditto in July.....	136 54
Ditto in August.....	93,105 52
Ditto in September.....	31,622 53
Total.....	205,794 53

## EXPENDED.

For services, including cemeterial expenses, mileage, court-martial expenses, &c., in June.....	\$21,834 32
Ditto in July.....	19,514 27
Ditto in August.....	19,716 51
Ditto in September.....	18,195 68
For fuel, forage and building material contract, in June.....	8,260 50
Ditto in July.....	2,760 00
Ditto in August.....	9,345 16
Ditto in September.....	6,515 23
Ditto, (open market,) in June.....	6,971 00
Ditto in July.....	1,318 00
Ditto in August.....	6,380 53
Ditto in September.....	5,896 79
For transportation, rail and river, in June.....	7,216 46
Ditto in July.....	245 13
Ditto in August.....	1,783 45
Ditto in September.....	2,213 28
Transferred to Colonel James and treasury, in June.....	6,968 00
Ditto in July.....	6,300 00
Ditto in August.....	12,634 50
Ditto in September.....	7,269 50
Total.....	171,278 31
Balance on hand September 30, 1868.....	34,516 22
Grand total.....	205,794 53

## RECAPITULATION.

Total expenditures for June, 1868.....	\$51,190 28
Ditto for July, 1868.....	30,137 40
Ditto for August, 1868.....	49,860 15
Ditto for September, 1868.....	40,090 48
Total.....	171,278 31

Respectfully submitted:

JAMES M. MOORE,  
*Bvt. Lieut. Col., Q. M. U. S. A., Chief Q. M. First Mil. District.*

OFFICE CHIEF COMMISSARY OF SUBSISTENCE  
FIRST MILITARY DISTRICT,  
*Richmond, Virginia, October 22, 1868.*

COLONEL: I have the honor to submit the following report of the operations of the subsistence department under my charge in this district from the date of my reassignment to duty, by virtue of Par. II Special Orders No. 28, dated War Department, Adjutant General's Office, Washington, D. C., March 23, 1868.

## CONTRACTS.

The following contracts were in force April 1, 1868, when I resumed my duties in this office, viz :

Post or station.	Name of contractor.	Articles supplied.	Price per lb.		Date of expiration.
			Cents.	Mills.	
Richmond, Va.....	Frederick C. Brauer...	Fresh beef, issues...	14	.....	July 1, 1868.
Richmond, Va.....	Frederick C. Brauer...	Fresh beef, sales...	14	.....	July 1, 1868.
Richmond, Va.....	Robert J. Smyth.....	Corn meal.....	3	1.5	May 1, 1868.
Fort Monroe, Va.....	William H. Kimberly..	Fresh beef.....	12	.....	May 1, 1868.
Lynchburg, Va.....	Jacob Knoll.....	do.....	15	.....	May 1, 1868.
Petersburg, Va.....	Rush Burgess.....	do.....	12	5.0	May 1, 1868.
Fredericksburg, Va.....	A. P. Roue.....	do.....	12	4.3	October 1, 1868.
Norfolk, Va.....	Nathan Baum.....	do.....	12	.....	May 1, 1868.
Yorktown, Va.....	L. Wolf & Co.....	do.....	11	.....	May 1, 1868.
Marion, Va.....	H. E. Sprinkle.....	Fresh mutton.....	9	.....	July 1, 1868.
Alexandria, Va.....	Lewis Varnell.....	Fresh beef.....	15	.....	October 1, 1868.
Winchester, Va.....	Charles D. Shiner.....	do.....	14	.....	October 1, 1868.

The following contracts have been made by me for the United States since April 1, 1868:

Post or station.	Name of contractor.	Articles supplied.	Price per lb.		Date of expiration.
			Cents.	Mills.	
Richmond, Va.....	Frederick C. Brauer...	Fresh beef, issues...	6	5	} January 1, 1869
Richmond, Va.....	Frederick C. Brauer...	Fresh beef, sales...	10	.....	
Richmond, Va.....	Warwick & Barkdale..	Corn meal.....	2	7.8	September 1, 1868.
Richmond, Va.....	Robert J. Smyth.....	do.....	2	8.6	January 1, 1869.
Richmond, Va.....	D. C. Mayo & Co.....	Navy tobacco.....	56	.....	On delivery.
Marion, Va.....	H. E. Sprinkle.....	Fresh beef.....	12	.....	December 1, 1868.
Fort Monroe, Va.....	Henry E. Kimberly...	Fresh beef, issues...	11	8.8	} November 1, 1868.
	Henry E. Kimberly...	Meats for sales.....	16	.....	
Norfolk, Va.....	Nathan Baum.....	Fresh beef.....	14	.....	November 1, 1868.
Petersburg, Va.....	Rush Burgess.....	do.....	15	.....	November 1, 1868.
Lynchburg, Va.....	Jacob Knoll.....	do.....	7	4	November 1, 1868.
Williamsburg, Va.....	Lob, Wolf & Co.....	do.....	17	.....	November 1, 1868.
Fredericksburg, Va.....	A. P. Rowe.....	do.....	9	3	April 1, 1869.
Winchester, Va.....	Charles D. Shiner.....	do.....	14	.....	April 1, 1869.

The parties named have fulfilled their contracts to the entire satisfaction of the department, with the exception of Messrs. Lob, Wolf & Co., contractors for the post of Williamsburg, Va., who were promptly reported to the Commissary General of Subsistence and their contract annulled on the 18th of October, 1868. At the posts of Farnville, Lexington, Warrenton, and Huguenot Springs, Va., it seemed impossible to make contracts with responsible parties who would give the requisite security for their fulfilment. The acting commissaries of subsistence at these posts have accordingly been authorized to purchase fresh beef "for issue" in open market at a reasonable price. Thus far this plan has succeeded remarkably well. New contracts will be made immediately for supplying fresh beef at the posts of Norfolk, Fort Monroe, Williamsburg, Petersburg, and Lynchburg, Va., (advertisements having been circulated calling for proposals.) The present contracts at these posts expire on the 31st instant.

## PURCHASERS.

The following supplies have been purchased by me since April 1, 1868, for the supply of the district, by advertisement and in open market, under the authority of the Commissary General of Subsistence, viz :

751 $\frac{148}{100}$  barrels of pork.  
4,411 $\frac{98}{100}$  barrels of flour.

109,442	pounds of herring.
7,284	pounds of rice.
21,872	pounds of brown sugar.
5,779	pounds of soap.
2,298 $\frac{7}{8}$	pounds of candles.
3,700	pounds of salt.
84	pounds of Rio coffee, (green.)
2,164 $\frac{1}{16}$	pounds of Rio coffee, "R and G."
5,750	pounds of tobacco.
563	gallons of molasses.
306	pounds of peas.
1,304	pounds of beans.
38	pounds of pepper.
786	pounds of dried apples.
50	half barrels of flour.
121	pounds of hominy.
435	pounds of ham.
444	pounds of fresh potatoes.

Amounting in the aggregate to \$114,204 44. The usual fluctuations in the market prices of these articles render it impracticable to procure them by permanent contracts.

All proposals received and purchases made are duly reported to the Commissary General of Subsistence as required by law.

#### SUPPLIES.

In order to properly supply the troops at the various posts in the district, I have adopted the following plan:

The principal subsistence depot for the district is under my immediate supervision in this city. From this depot the following posts are supplied with every article (except fresh beef) required for the subsistence of the troops, viz:

Lynchburg, Va.,	} <i>Via</i> Richmond and Danville railroad and Southside railroad and connections.
Marion, Va.,	
Lexington, Va.,	
Farmville, Va.,	
Petersburg, Va.—	<i>Via</i> Richmond and Petersburg railroad.
Fredericksburg, Va.—	<i>Via</i> Richmond, Fredericksburg and Petersburg railroad.
Huguenot Springs, Va.—	<i>Via</i> Canal, (post now abandoned.)
Williamsburg, Va.—	<i>Via</i> James river steamer.

The post of Alexandria and Warrenton are supplied direct from Washington city, D. C., the former upon ration returns, and the latter upon requisitions forwarded through this office.

The post of Winchester is likewise supplied upon requisitions from Baltimore, Md.

The post at Norfolk is supplied direct from Fortress Monroe, the latter being supplied (upon the proper requisitions forwarded through this office, direct from New York city, and Baltimore, Md., with all transportable stores, except flour and tobacco, which are shipped from this depot.

The troops in and around Richmond, Va., are of course subsisted directly from this depot. Supplies for the Bureau of Refugees, Freedmen, and Abandoned Lands are purchased by me and transferred to Brevet Major George Q. White, 44th regiment United States infantry, disbursing officer Bureau Refugees, Freedmen, and Abandoned Lands for this district, upon estimates approved by the major general commanding first military district.

The following stores have thus been transferred to Major White during the six months beginning April 1, 1868, and ending September 30, 1868, viz:

Articles.	Quantity.						Aggregate.
	April.	May.	June.	July.	August.	Septem'r.	
Pork, barrels.....	80	77	56	60	58	43	374
Flour, barrels.....	213	185	200	141	140	120	999
Corn meal, pounds.....	95,516	84,656	40,860	81,000	72,000	36,000	410,032
Herring, pounds.....	40,800	131,250	19,980	8,856	18,975	1,650	103,386
Fresh beef, pounds.....	31,626	23,867½	22,765	24,065	25,033	19,908	147,264
Beans, pounds.....					600		600
Rice, pounds.....	1,792	1,429	337	1,427	1,626	1,697	8,308
Hominy, pounds.....						400	400
Tea, black, pounds.....	167	84	49	142	149	194	785
Brown sugar, pounds.....	1,726	780	1,078	1,024	1,277	1,654	7,539
Vinegar.....	22	44				88	154
Candles, pounds.....	160	160	320		360	320	1,320
Soap, pounds.....	320	400	180	240	320	500	1,960
Salt, pounds.....	640	1,280	890	640	960	770	5,180
Pepper, pounds.....	50	50				25	125
Vegetables, pounds.....	210	282		700		280	1,472

The money value (original cost exclusive of transportation) of the supplies transferred to the Bureau Refugees, Freedmen, and Abandoned Lands as above, is as follows, viz:

For supplies transferred in April, 1868.....	\$14,926 04
For supplies transferred in May, 1868.....	11,530 35
For supplies transferred in June, 1868.....	9,683 84
For supplies transferred in July, 1868.....	8,107 22
For supplies transferred in August, 1868.....	8,218 11
For supplies transferred in September, 1868.....	5,589 84
<b>Total for the six months.....</b>	<b>58,055 40</b>

The distribution and issue of these supplies is outside of my sphere of duty, and I would respectfully refer you to the report of the assistant commissioner for further details in this connection.

#### SUBSISTENCE FUNDS.

Subsistence funds are required monthly at each post in the district for the purchases of fresh beef and company savings, and for contingencies; and such funds are transferred by me to the acting commissaries at the various posts, upon estimates approved by the post commanders. Funds for this purpose and for disbursement here are supplied from the United States Treasurer through the Commissary General of Subsistence.

Disbursements and transfers of subsistence funds made by me during the six months beginning April 1, 1868, and ending September 30, 1868, are as follows, viz:

Month.	Purchases.	Contingencies.	Transfers.	Total expended.
April.....	\$23,862 08	\$2,318 78	\$5,203 96	\$31,384 82
May.....	27,391 18	2,253 87	4,980 20	34,625 25
June.....	14,026 67	2,410 96	5,900 82	22,338 45
July.....	14,990 95	2,009 40	5,508 58	22,508 93
August.....	15,857 88	1,871 27	6,675 37	24,404 52
September.....	18,075 66	2,196 39	4,019 63	24,291 68
<b>Aggregate for the six months.....</b>				<b>152,553 65</b>
<b>Average per month.....</b>				<b>26,592 27½</b>

## DISCIPLINE.

The combined duties of purchasing, depot, and post commissary at Richmond, Virginia, in addition to my particular duties as chief commissary, have prevented me from visiting the different posts as often as I should have wished. However, I am happy that but very few indications of neglect or carelessness on the part of the post commissaries have appeared, and none of sufficient magnitude to be mentioned in this report.

The officers detailed as post commissaries throughout the district have generally performed their duties with remarkable fidelity, and, I believe, with the true interests of the service at heart.

## QUALITY OF SUPPLIES.

The articles furnished and purchased for the subsistence of this command have been uniformly of good quality, and scarcely any complaint is ever heard from the troops; occasionally, of course, there appears a grumbler; but in such cases the complaint is found to be groundless, and directed more towards the commissary sergeant than to any actual fault or deficiency. The best proof of the good quality of the ration is the general health of those who consume it.

## REMARKS.

I would respectfully state that I have no suggestions to offer in regard to the workings of the subsistence department in this district, and I will conclude this report by acknowledging the uniformly cordial and prompt co-operation of the quartermasters' department in all cases where I have had occasion to ask for transportation of public property.

I am, colonel, very respectfully, your obedient servant,

W. A. ELDERKIN,

*Bvt. Maj., Capt. and C. S. Chf C. S. First Military District.*

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MEDICAL DIRECTOR'S OFFICE,  
FIRST MILITARY DISTRICT, STATE OF VIRGINIA,  
*Richmond, Virginia, October 25, 1868.*

COLONEL: In compliance with orders from headquarters first military district, dated October 19, 1868, I have the honor to submit the following as the annual report of the operations in the medical department of this district, from the 31st day of December, 1867, to the 17th day of October, 1868, inclusive.

On the 31st day of December, 1867, there were five medical officers of the regular army on duty in this district, viz: Brevet Colonel James Simons, surgeon United States army, medical director; Brevet Colonel George E. Cooper, surgeon United States army, post surgeon at Fort Monroe; Brevet Lieutenant Colonel John H. Janeway, assistant surgeon United States army, attending surgeon at Headquarters; John H. Bartholf, assistant surgeon United States army, post surgeon at Camp Grant; George S. Rose, assistant surgeon United States army, post surgeon at Lynchburg; all of whom are on duty at the several stations named at the date of this report.

There were also 12 private physicians under contract as acting



assistant surgeons, viz: Dr. P. Wager, stationed at Williamsburg; Dr. William Barbour, stationed at Camp Hamilton; Dr. L. W. Goldsborough, stationed at Fredericksburg; Dr. J. P. Prince, stationed at Petersburg; Dr. James Williamson, stationed at Norfolk; Dr. G. L. Miller, stationed at Winchester; Dr. J. E. Warner, stationed at Camp Grant; Dr. W. F. Hysove, stationed at Camp Grant; Dr. Joseph Jorgenson, stationed at Farmville; Dr. J. B. Holder, stationed at Fort Monroe; Dr. W. A. Dinwiddie, stationed at Marion; Dr. D. M. French, stationed at Alexandria.

The following-named physicians have received contracts as acting assistant surgeons for duty in this district since January 1, 1868, viz: Dr. Douglas Day, contract May 1, from this office, stationed at Warrenton; Dr. Reese B. Berkey, contract June 26, from this office, stationed at Camp Grant; Dr. John A. McCoy, contract July 1, from this office, stationed at Marion; Dr. W. P. Buel, contract September 17, assigned from Surgeon General's office, stationed at Camp Williams; Dr. William F. Browne, contract September 18, with Surgeon W. J. Sloan, chief medical officer, New York city, stationed at Petersburg.

The contracts of the following-named acting assistant surgeons have been annulled for various causes during the year, viz: Dr. J. E. Warner, annulled January 11; Dr. W. A. Dinwiddie, annulled July 1, to accept a commission in the United States army; Dr. W. F. Hysove, annulled August 25, on account of sickness; Dr. James P. Prince, annulled October 10.

Acting Assistant Surgeon John A. McCoy transferred to department of the Cumberland, having accompanied company E, 29th United States infantry, from Marion, Virginia, to Shelbyville, Tennessee, under orders from the sub-district commander at Lynchburg, September 30.

There have been posts established, requiring the attendance of a medical officer, at the following points, viz: Warrenton, Huguenot Springs, Lexington, Camp Terrill, at Elba Park.

The following-named posts have been discontinued, viz: Libby Prison, Camp Terrill, Huguenot Springs, Lexington, Marion, (since re-established.)

It has been found necessary during the year to employ for a short period, at temporary or newly established posts, resident (citizen) physicians, until acting assistant surgeons could be supplied. The number of physicians so employed was six.

There was established by order of the War Department, on the 25th of April, a quarantine at Hampton Roads, for all vessels arriving from infected ports. Brevet Colonel Cooper, surgeon United States army, was charged with the execution of this order. To his good judgment and faithful execution of the quarantine regulations may be attributed in no small degree the exemption of epidemic disease in this district.

On the 31st day of December, 1868, the number of "sick and wounded remaining under treatment," at the several posts in the district was 165.

From the "monthly reports of sick and wounded" received from the several medical officers, and on file in this office, which have been carefully compared with weekly reports received from the same sources, it appears that there were "taken sick or wounded" and "under treatment" during the month of January 631, with 5 deaths; February, 510, with 2 deaths; March, 625, with 2 deaths; April, 555; May, 488, with 1 death; June, 569, with 2 deaths; July, 662, with 6 deaths; August, 695, with 1 death; September, 631, with 1 death; October, (to 17th,) 378, with 2 deaths; making a total of 5,909 "cases under treatment," and 22 deaths.

Of the 22 deaths reported above, there were 2 from typhoid fever, 2 from remittent fever, 2 from dysentery, 2 from consumption, 1 from

epilepsy, 1 from pleurisy, 3 from pneumonia, 1 from bronchitis, 1 from dropsy, 1 from inflammation of the brain, 1 from railway accident, 2 from drowning, 2 from wounds, 1 from suicide.

The greater portion of "cases under treatment" have been of those diseases dependent upon malarial poison.

From a calculation based upon the foregoing statement, it appears that the ratio per thousand of "cases under treatment" for the entire command, was, in the month of January, 211.38; February, 203.02; March, 242.53; April, 221.82; May, 188.12; June, 213.11; July, 282.90; August, 286.95; September, 253.46; October, (to 17th,) 202.13.

The ratio per thousand of the "total aggregate strength" for the entire year was 235.00.

It should here be borne in mind that these ratios are made up of all those reported as "taken sick or wounded during the month," no matter for how trivial a cause a soldier may have been reported sick, and frequently the same soldier may be reported two or three times as a new case, though laboring under the same complaint.

The medical supplies furnished for the troops are of the best quality, and in abundant quantity; while the liberality allowed in the purchase of articles of diet, delicacies, &c., from the savings on rations, enables the medical officer to hasten the recovery of the soldier, and relieve the tedium of the sick room. The medical officers on duty in the district have performed their duties in a manner very satisfactory, both to this department and the commands to which they have been assigned.

I have the honor to be, very respectfully, your obedient servant,

J. SIMONS,

*Brevet Colonel and Surgeon U. S. A., Medical Director.*

Colonel S. F. CHALFIN,

*Assistant Adjutant General, First Military District.*

PAY DEPARTMENT UNITED STATES ARMY,  
OFFICE OF PAYMASTER FIRST MILITARY DISTRICT,  
*Richmond, Virginia, October 21, 1868.*

GENERAL: In compliance with communication from headquarters first military district, dated October 17, 1868, I have the honor to report that my payments for the year ending October 31, 1868, have been confined to a small portion of the troops in this district, those, namely, at this post, Petersburg, Fredericksburg, and Farmville, while those stationed at Lynchburg, Lexington, Marion, Winchester, Alexandria, Fort Monroe, Norfolk, and Williamsburg, were paid by the officers of this department from Washington and Baltimore. This was owing to actual and prospective duties in the payment of reconstruction expenses in this district, separate report of which has been made.

The total sum received and disbursed by me to the troops stationed at Richmond, Petersburg, Farmville, and Fredericksburg, for the year ending October 31, 1868, is.....	\$559,318 43
The amount received for expenses of reconstruction during the same time is.....	125,000 00
Total.....	684,618 43
Less amount of reconstruction fund on hand .....	13,343 26
Total amount expended for the army and reconstruction purposes.....	671,275 17

There is a balance in the treasury at Washington to the credit of the reconstruction fund of this district appropriated at the last session of Congress of .....	\$69, 734 00
Amount of same fund in my hand .....	13, 343 20
Total .....	83, 077 80

I am, general, very respectfully, your obedient servant,

T. H. STANTON,

*Paymaster U. S. A., Paymaster First Military District.*

Brevet Maj. Gen. GEORGE STONEMAN, U. S. A.,  
*Com'dg First Military District, Richmond, Virginia.*

*Statement of amount expended for purposes of reconstruction in first military district from June 1, 1868, to October 31, 1868.*

	Commutation of quarters and fuel.	Mileage and expenses of travel.	Rent of offices used by military commissions.	Stationery purchased by military commissions and headquarters.	Postage purchased by military commissions and headquarters.	Witness fees of persons summoned by military commissions.	Clerk, free of military commissions and headquarters first military district.
Amounts remaining due and unpaid June 1, 1868.	\$449 03	\$280 25	\$185 00	\$47 64	\$147 56	\$267 60	\$50 00
June .....	503 08	343 00	173 50	114 58	111 89	.....	615 01
July .....	422 15	379 30	131 00	360 68	152 17	215 00	696 68
August .....	359 00	238 00	103 00	145 78	48 31	.....	526 25
September .....	375 40	33 16	96 00	99 54	123 10	106 00	718 85
October .....	.....	13 74	5 00	8 15	5 00	50	.....
Total amounts expended to Oct. 31, 1868.....	2, 158 66	1, 584 45	693 50	776 27	588 03	588 50	2, 515 80

Registration accounts remaining unpaid June 1, 1868, \$2,965 96.

Amount expended per month—

Remaining unpaid June 1, 1868, (military commissions)....	\$1, 476 48
Remaining unpaid June 1, 1868, (registration).....	2, 965 96
Expenses during June, 1868.....	1, 861 06
Expenses during July, 1868 .....	2, 266 98
Expenses during August, 1868.....	1, 420 35
Expenses during September, 1868.....	1, 849 05
Expenses during October, 1868.....	32 39

Total amount expended to October 31, 1868..... 11, 872 27

Amount estimated to be necessary per month from this date, \$1,600.

I certify that the above statement is correct.

T. H. STANTON,

*Paymaster U. S. A., Paymaster First Military District.*

## REPORT OF BREVET MAJOR GENERAL E. R. S. CANBY, COMMANDING LATE SECOND MILITARY DISTRICT.

WASHINGTON, D. C., *August 31, 1868.*

SIR: I have the honor to submit for the information of the General of the army the following report of affairs in the late second military district, from the date of the last annual report to the discontinuance of the district under the operation of General Orders No. 55, from the headquarters of the army, dated July 28, 1868. As the general condition of the district was exhibited from time to time by special reports, or by copies of the orders issued, this report will be limited to the most important events or action.

The first of these was the modification of the jury system in the two States, so as to secure representation in the jury box to classes heretofore excluded, and constituting in the two States embraced in the district a majority of the population. The exclusion of the non-freeholders in North Carolina had occasioned a great deal of uneasiness and alarm in both classes, and threatened to become a serious disturbing element. A modification in the existing jury systems in the two States was, therefore, not only a question of abstract justice, but one that the interests of the community required should be so settled as not only to secure the legal rights of all classes, but also to give that sense of security which is the best guarantee of order and subordination to law, and the remedies it affords for the redress of all wrongs. The first step taken for this object was the General Order No. 32, (par II A,) issued by my predecessor on the 11th of May, 1867. The diversity of law and practice, and the different construction put upon the laws of the United States by the courts of the two States, made the rule established by this order of difficult application, and involved the necessity of modifying it.

In North Carolina the law of April 6, 1866, (civil rights bill,) was recognized by the States authorities (executive and judicial,) as conferring the rights of citizenship upon the colored man, and he was debarred from representation in the jury box only by the freehold qualification which applied equally to whites and blacks. In South Carolina jury duty was determined by the qualification as electors (free white men) for the State legislature, and under the law of 1790 the payment of a specified tax of three shillings sterling. The legislation of 1857 and 1859, in connection with the existing system of taxation, practically swept away all property qualification and opened the jury box to "every free white man (paupers, soldiers, and sailors excepted) who shall have paid in the year preceding the sitting of the court at which a new jury list shall be made, a tax of any amount whatever upon property held in his own right." The condition of the jury system in the two States is more fully exhibited by the accompanying papers, marked B and C. Thus in North Carolina the qualification of a juror was determined by the possession of a freehold estate, and in South Carolina, practically, by the color of the citizen.

In making such modification of the State laws as would secure to all the inhabitants their legal rights without introducing at the same time any dangerous elements of vice or ignorance into the jury box, many practical difficulties were encountered, and the desired end was not attained until several modifications of the original plan had been made. The course of these modifications is shown by the accompanying papers, marked D, E, F, G, and H. As finally established, the jury lists embraced

all citizens who were identified with the community in which they resided by the payment of taxes, and who were mentally and morally qualified for the performance of jury duty, and the courts were empowered to purge the jury lists of all persons who were personally unfitted by reason of mental or moral incapacity. In North Carolina, one of the judges of the superior court (Judge Fowle) tendered his resignation, and in South Carolina one of the judges of the court of common pleas and general sessions (Judge Aldric) refused to execute the order, and was first suspended and afterwards removed. In both these cases the action was so distinctly marked by adherence to the ideas that produced the rebellion, and by opposition to the authority of the United States, that the motive was unmistakable, (I.) It was the more pointed in Judge Aldric's case from the fact that he had previously accepted the conditions of General Orders No. 32, and united with Judges Moses and Glover of the same court in recommending some practical modifications.

Of the same character and next in order were the measures adopted for the purpose of securing quiet and order by the enforcement of the laws for the protection of persons and property. General Orders No. 32 (paragraph X) placed the peace officers of the two States in direct relation and correspondence with the commanders of posts; and the same orders required the sheriffs of counties and districts to make to the provost marshal general monthly reports of the crimes, arrests, escapes, &c., &c., within the limits of their respective jurisdictions. In the application of these orders and the modifications that were subsequently made, it was designed to secure the enforcement of the State laws for the prevention and punishment of crime through and by means of the local authorities, and not to interfere with the usual mode of procedure except where the proper civil authorities refused or failed to act, or when it became manifest that from past political action or by reason of prejudice against color or caste, impartial justice would not be administered. General Orders No. 10, paragraph XII; No. 12, paragraph X; No. 34, Nos. 145, 153, and 164 of 1867, and Nos. 18, 29, and 61 of 1868, indicate the general course of this administration. By other orders the relations between the civil and military authorities were fully and clearly defined, and the latter were instructed to avoid all interference, unless the former refused or failed to take such action as was necessary to secure due and rightful protection to persons and property. Whenever crimes were committed a full investigation was made, not only of the actual facts but of the collateral and antecedent incidents, and this investigation frequently led to the arrest of criminals when the civil authorities failed to detect them, and often developed the hidden sources of action and enabled preventive measures to be taken. A comparison of the statistics of crime collected by the provost marshal general shows a gradual but marked diminution of crime from the organization of the district to its discontinuance, and that the serious crimes were very evenly in the proportion of the whites and colored population of the two States. The preponderance of larcenies committed by the blacks is due in part to the partial failure of the crops in 1866, the pecuniary embarrassments of the inhabitants of the two States and the consequent scarcity of food among the poorer classes. The burglaries reported are due in part to the same causes, and in part also to the extended definition given of the crime of burglary by the laws of South Carolina. (See document K.) Table L exhibits in a condensed form the crimes and arrests reported by the civil officers and the arrests made by the military authorities during the operation of the reconstruction laws in the States of North Carolina and South Carolina. Table M shows the number of trials by military

commissions and other military tribunals during the same period, and table X the number in confinement undergoing sentence or awaiting sentence when the district was discontinued.

Very few instances of grave disorders or outrages occurred in either State during the period, and when they did occur the prompt application of precautionary measures and the advice and counsel of prudent and reflecting men of both parties prevented any spread of the excitement which they occasioned.

In South Carolina the most important of these that partook of a political character were the riot in Pickens district, on the 12th of October, 1867, and the assassination of Mr. S. G. W. Dill, of Kershaw county, on the 4th of June, 1868. The history of the first case is given by the papers marked O, and the second by the papers marked P. In this last case the parties arrested by the military authorities were turned over to the civil authorities under paragraph IV of General Orders No. 136, of July 13, 1868, and by the court of common pleas and general sessions at Sumter were released upon bail in the sum of \$3,000 each.

Interference with the local courts was permitted only in the exceptional cases growing out of the rebellion, and were generally comprised in the three following cases:

1. In actions or prosecutions for acts committed during the existence of hostilities, and alleged to have been committed under orders or authority of either belligerent.

2. Where the local courts attempted to validate or give effect to the unexecuted judgments of confederate courts rendered during the rebellion.

3. Where the local courts denied the right of appeal or removal to the United States courts, guaranteed by the laws of the United States.

The first class of cases was quite numerous in North Carolina, about three-fourths of the cases presented being prosecutions against Union men, and the remainder against confederates; and where it was established by satisfactory evidence that the motive for the prosecution was the animosity engendered during the period of civil strife the proceedings were stopped. The principle upon which this action was taken is covered by the decision of the supreme court of that State in the case of the State *vs.* Blalock, p. 242, vol. 1, part 2. In South Carolina, where there was but little division of sentiment or action, but few cases of this kind were presented.

In the second class the cases were dismissed without prejudice to the rights of either plaintiff or defendant in a new action, for the reason that under the general principles of public law and the proclamations of the President of May 29, 1865, as to North Carolina, and of June 30, 1865, as to South Carolina, the courts of the existing State government had no power to enforce the unexecuted judgments, decrees, or orders of courts instituted by pretended governments that were in rebellion to the government of the United States.

In the third class the proceedings were stayed until the courts of the State could be reorganized under the Constitution. The papers under Q, R, and S are examples of the action taken in each class of cases.

The instructions imposed upon the civil courts by the provisions of General Orders No. 10, of April 11, 1867, and the subsequent amendments and modifications of that order, were dictated and controlled by the same principles. While the provisions of these orders were, to a material extent, relief measures, the regulations which they established were essentially police in their character, and were intended to aid in

the preservation of quiet and order, which was seriously threatened in some parts of the district from the attempt to enforce obligations of a questionable character before they had been settled by conclusive authority. In South Carolina the necessity for these measures was so apparent and so urgent that they were approved and recommended by the highest executive and judicial authorities of the State. In North Carolina the necessity was not so great, as the legislative authority had made partial provision for the necessities of the situation, and a different view was entertained by the governor of that State. A careful and deliberate examination of the practical working of the order and of the character of the cases to which it applied satisfied me that the interests of order and justice required no other modification of the order than such restrictions of its application and operation as would bring it within the rules established by the Supreme Court in cases where similar principles were involved. Much of the clamor against this order was unquestionably raised by persons who sought to obtain a premature settlement of claims that were tainted with illegality or were voidable as contrary to the public policy of the United States, and thus retrieve some of the losses they had sustained by the repudiation of the rebel debt or the failure of the rebellion.

The case of *Hall & Rodd vs. Kalenweiler*, in the United States circuit court at Raleigh, North Carolina, was the subject of much comment when I succeeded to the command of the district. The defendant was an agent of the commissary department of the rebel army. The action brought against him was to recover the value of supplies purchased by him for the use of the rebel army and applied to that use. See papers marked T. The correspondence between the governor of North Carolina and myself is also transmitted, (U.)

The incidents of registration and election were reported at the time, and it is only necessary to state in this report the general results.

In North Carolina the total registration prior to the election upon the question of calling a convention was 178,665.

The vote for convention was.....	93,006
The vote against convention was.....	32,962
The number registered but not voting was.....	52,697
Total.....	178,665

Registration prior to vote on constitution was 196,873.

The vote for the constitution was.....	93,084
The vote against the constitution was.....	74,015
The number registered but not voting was.....	29,774
Total.....	196,873

The majority for the convention was.....	60,044
The majority for the constitution was.....	19,069

The tabular statement marked V gives the result by counties.

In South Carolina the total registration prior to the election upon the question of calling a convention was 128,056.

The vote for convention was.....	68,768
The vote against convention was.....	2,278
The number registered but not voting was.....	57,010
Total.....	128,056

The registration prior to the vote on the constitution was 133,195.

The vote for the constitution was .....	70, 558
The vote against the constitution was.....	27, 288
Number registered but not voting was.....	35, 340

Total.....	133, 195
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Majority for the convention.....	66, 490
Majority for the constitution.....	43, 270

The tabular statement marked W gives the result by counties.

In North Carolina the county officers were elected at the same time that the constitution was submitted; but in South Carolina at an election held on the 2d and 3d days of June, 1868.

The number of voters registered for this election was 138,532.

The number of votes cast .....	80, 928
Number registered not voting .....	57, 604

Total.....	138, 532
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The tabular statement marked X gives the comparative results by counties.

The election of municipal officers had been ordered for the same election; but as no provision had been made for conforming the charters of cities and towns to the new constitution, I found that the installation of the officers who might be elected would inevitably lead to a conflict after the military authority was withdrawn, that would produce embarrassment and confusion, and might result in disorder and violence. For this reason I considered it prudent to postpone the charter elections until after the legislature had taken action on the subject.

The funds received by the disbursing officer of the district on account of reconstruction expenses, \$413,384 01; and the amount disbursed, \$362,372 35. The balance of the appropriation for the second military district will be more than sufficient to meet the outstanding liabilities and unfinished work.

After the elections of November, 1867, the troops in both States were contracted as far as it was considered prudent, and established at points that were central and controlling, so far as related to communication and facility of movement. (See General Order No. 145, of December 6, 1867.)

On the 8th of November two companies of the 29th infantry on duty in South Carolina, under instructions from the General of the army were relieved from duty in the district, and ordered to report to the commander of the department of Washington. On the 10th of January four companies of the 12th infantry, which had been ordered to report to me by the same authority, were assigned to stations. During the month of May, 1868, the companies of the 6th infantry serving in South Carolina were transferred to North Carolina, and the companies of the 8th infantry serving in that State were transferred to South Carolina. No other changes were made except such as were local and temporary in their character, as precautions against threatened disturbances, or to provide for the better accommodation of the troops.

The reports of the chief staff officers on duty at district headquarters exhibit the details of the operations under their charge, and are trans-



mitted herewith, marked from one to seven inclusive. I also transmit other papers, marked from I to V, that may be useful for future reference.

Very respectfully, your obedient servant,

ED. R. S. CANBY,  
*Brevet Major General.*

The CHIEF OF STAFF,  
*Headquarters of the Army, Washington, D. C.*

A.

[General Orders No. 32.]

HEADQUARTERS SECOND MILITARY DISTRICT,  
*Charleston, S. C., May 30, 1867.*

I. Any citizen, a qualified voter according to the requirements of the "Act to provide for the more efficient government of the rebel States" passed March 2, 1867, and the act supplementary thereto, passed March 23, 1867, is eligible to office in the provisional government of North and South Carolina. All persons appointed to office will be required to take the oath prescribed by the act aforesaid, and to file the same duly subscribed and sworn with the post commander.

II. All citizens assessed for taxes and who shall have paid taxes for the current year are qualified to serve as jurors. It shall be the duty of the proper civil officers charged with providing lists of jurors to proceed within their several jurisdictions, without delay, and ascertain the names of all qualified persons and place them on the jury lists, and from such revised lists all jurors shall be hereafter summoned and drawn in the manner required by law.

III. All citizens are eligible to follow any licensed calling, employment, or vocation, subject to such impartial regulations as may be prescribed by municipal or other competent authority, not inconsistent with common right and the Constitution and laws of the United States. The bond required as security shall not exceed the penal sum of one hundred dollars. One or more sureties being citizens, and worth in the aggregate double the amount of the bond, over and above just debts, will be sufficient.

IV. The mayors of cities and other municipal and town officers, and all sheriffs, magistrates and police forces are required to be vigilant and efficient in maintaining order; and in the discharge of their duties they will be expected to co-operate with the military authorities.

V. Post commanders may summon to their aid, whenever the ordinary means at their disposal shall not be sufficient to execute their orders, such of the civil officers and as many of the citizens within the territorial limits of the military post as may be necessary, and the neglect or refusal of any person to aid and assist in the execution of the orders of the commanding officer will be deemed a misdemeanor, punishable by such fine and imprisonment as may be imposed by a military tribunal, approved by the commanding general.

VI. No license for the sale of intoxicating liquors in quantities less than one gallon, or to be drank on the premises shall be granted to any person other than an innkeeper; the number of such licenses shall be determined, and the fees to be charged for such license shall be prescribed and collected by the municipal or town authorities and appropriated exclusively for the benefit of the poor. If any person shall be

found drunk on the premises where liquor is sold, the license may be revoked by any magistrate. The tax imposed by the internal revenue laws of the United States is an additional charge and does not excuse the party from the observance of local regulations, nor exempt him from the payment of such other license fees as may be imposed by municipal or other competent authority.

VII. All contracts hereafter made for the manufacture, sale or transportation, storage or insurance of intoxicating liquors shall, within this military district, be deemed and treated as against public policy, and no civil action, suit, or proceeding for the enforcement of any such contract shall be entertained in any court.

VIII. In public conveyances on railroads, highways, streets, or navigable waters, no discrimination because of color or caste shall be made, and the common right of all citizens therein shall be recognized and respected. The violation of this regulation will be deemed a misdemeanor, and render the offender liable to arrest and trial by a military tribunal, to be designated by the commanding general, besides such damages as the injured party may sue for and recover in the civil courts.

IX. The remedy by distress for rent is abolished. Where lands are leased or let out for hire or rent, cotton, corn, or other produce of the same, when severed from the land, may be impounded; but the same shall not be removed. And cotton, corn, or other produce so impounded, shall be held as security for the rent or hire so claimed, and may be sold in satisfaction of any judgment for the same: *Provided*, That any unsatisfied claim for labor bestowed upon the cultivation of such cotton, corn, or other produce shall, in no case, be postponed to any demand for rent or hire; but to the extent of such claim for labor, there shall be a lien on such cotton, corn, or other produce, having preference over any claim for rent or hire.

By command of Major General D. E. Sickles:

J. W. CLOUS,  
*Captain 38th U. S. Infantry, A. D. C. and A. A. A. G.*

Official:

LOUIS V. CAZIARC,  
*Aide-de-Camp and Acting Assistant Adjutant General.*

### B.

Extract from a letter from the governor of North Carolina to the commanding general second military district, dated September 10, 1867:

I suppose his (General Sickles) order No. 32 was intended to prevent any discrimination against color in the making up of our juries. Our existing laws in the State make no such discrimination, and so long as the civil rights bill is recognized as law, (and it is so recognized by the authorities of this State,) the negro being made a citizen, has all the rights and privileges as to serving on juries which belong to the white citizen; but our laws have always required a freehold qualification in a juror.

### C.

Judge Petigru's note on the subject of juries in South Carolina, page 753, Petigru's Code.

The acts of 1857 and 1859, reducing the qualification of jurors to the payment of any tax or service, is omitted, for these reasons: It is a practice not very uncommon to get names for the jury-box, out of favor, with a view to the pay of jurymen; but trial by jury is not a convention for giving wages to people out of employment. It is maintained as a great

institution for the creation of an enlightened public opinion. To convert it into an engine for the benefit of the jurors would destroy its usefulness. The change, therefore, is inexpedient; but it may well be doubted whether inexpediency is the most formidable objection to the scheme of regulating trial by jury for the private benefit of those who take part in it. The Constitution sanctions trial by jury *as it has heretofore existed among us*. But it has always existed in connection with the qualification of the jury; the jury were the tax-payers of the vicinage, and the pecuniary qualification was never lower than 63 cents. To receive one cent for putting a name in the jury-box, or to receive any sum from one who is not a tax-payer, as the purchase money of a seat in the jury, is an evasion of the Constitution, and all evasions are illegal. It required a change of the organic law to admit unqualified voters; why is it not equally necessary to legalize the admission of unqualified jurors?

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### D.

[General Orders No. 89.]

HEADQUARTERS SECOND MILITARY DISTRICT,  
*Charleston, South Carolina, September 13, 1867.*

Paragraph II of General Orders No. 32, dated May 30, 1867, is modified as follows: All citizens assessed for taxes, and who shall have paid taxes for the current year, and who are qualified, and have been, or may be duly registered as voters, are hereby declared qualified to serve as jurors.

It shall be a sufficient ground of challenge to the competency of any person drawn as a juror, that he has not been duly registered as a voter. Such right of challenge may be exercised in behalf of the people, or of the accused, in all criminal proceedings, and by either party in all civil actions and proceedings.

Any requirements of a property qualification for jurors, in addition to the qualifications herein prescribed, is hereby abrogated.

The governors of North and South Carolina, respectively, are hereby authorized and empowered to order, if it should be necessary, special terms of courts, to be held for the purpose of revising and preparing jury lists, and to provide for summoning and drawing jurors in accordance with the requirements of this order.

By command of Brevet Major General Ed. R. S. Canby:

LOUIS V. CAZIARC,  
*Assistant Adjutant General.*

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### E.

[General Orders No. 100.]

HEADQUARTERS SECOND MILITARY DISTRICT,  
*Charleston, South Carolina, October 17, 1867.*

Upon the representations of the governor of South Carolina that for want of sufficient time it will be impracticable to impanel juries in some of the district and circuit courts of this State in accordance with the provisions of General Orders No. 89, current series from these headquarters, in season for the fall terms of said courts, and that a delay in the administration of justice may result therefrom, it is ordered—

First. That in all such district and circuit courts, the juries already drawn and summoned under the provisions of General Orders No. 32 be impanelled for the trial of all jury causes that may be set for trial at this next ensuing term of said courts. The right of challenge by reason of non-registration to be allowed and exercised as prescribed by General Orders No. 89.

Second. In drawing juries at the fall term of the district and circuit courts for the next term of the said courts, the juries shall be drawn from

the lists of all citizens who have paid taxes for the current year, and in the manner prescribed by the laws of the State; and to the end that the right of challenge shall be effective, the sheriff of each district will be furnished with the list of registered voters in his district after the same shall have been revised in conformity with the act of Congress of July 19, 1867. The execution of Special Orders No. 176, paragraph VI, current series, from these headquarters, is suspended until the revision of the registration as aforesaid has been completed.

Third. Whenever juries have been impanelled for any district or circuit court of this State, in conformity with the provisions of General Orders No. 89, such panels shall be deemed and held to be valid and effective panels.

By command of Brevet Major General Ed. R. S. Canby:

LOUIS V. CAZIARC,  
*Aide-de-Camp, Acting Assistant Adjutant General.*

Official:

LOUIS V. CAZIARC,  
*Aide-de-Camp.*

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F.

[General Orders, No 109.]

HEADQUARTERS SECOND MILITARY DISTRICT,  
*Charleston, South Carolina, October 25, 1867.*

Upon the representation of the governor of North Carolina that the county courts of that State cannot draw juries from the lists of tax-payers for the current year, until the first fall term after the first day of October instant, (the end of the fiscal year,) and that a delay in the administration of justice may result therefrom, it is ordered:

First. That in all such county and circuit courts, the juries already drawn and summoned under the provisions of General Orders No. 32 be impanelled for the trial of all jury causes that may be set for trial at this next ensuing term of the said courts. The right of challenge by reason of non-registration to be allowed and exercised as prescribed by General Orders No. 89.

Second. In drawing juries at the fall terms of the county and circuit courts for the next term of the said courts, the juries shall be drawn from the lists of all citizens who have paid taxes for the current year, and in the manner prescribed by the laws of the State; and to the end that the right of challenge shall be effective, the sheriff of each county will be furnished with the list of registered voters in his county after the same shall have been revised in conformity with the act of Congress of July 19, 1867.

The execution of Special Orders No. 176, paragraph VI, current series, from these headquarters, is suspended until the revision of the registration as aforesaid has been completed.

Third. Whenever juries have been impanelled for any county or circuit of the State of North Carolina, in conformity with the provisions of General Orders No. 89, such panels shall be deemed and held to be valid and effective panels.

By command of Brevet Major General Ed. R. S. Canby:

LOUIS V. CAZIARC,  
*Aide-de-Camp, Acting Assistant Adjutant General.*

Official:

O. M. MITCHELL,  
*Aide-de-Camp.*

G.

HEADQUARTERS SECOND MILITARY DISTRICT,  
*Charleston, S. C., November 9, 1867.*

SIR: I have the honor to acknowledge the receipt of your communication of the 1st instant, and to state that copies of all orders that affect the duties of civil officers are distributed in sufficient numbers to supply all; but as it may avoid delay by sending them direct, your suggestion will be followed in future.

General Orders No. 89 stands in its original form, except that in order to avoid delays in the administration of justice, as stated by you orally, and in your communication of the 19th ultimo, it was directed by General Orders No. 109—

First. That juries drawn and summoned under the provisions of General Orders No. 32 should be impanelled for the trial of jury causes set for trial at the next (present) ensuing term of the county and circuit courts of your State.

Second. That in drawing juries at the fall (present) term of the county courts for the next term of the county and circuit courts, they should be drawn under the provisions of General Orders No. 89, and in the manner prescribed by the laws of the State, from the lists of all citizens who have paid taxes for the current year.

The right of challenge under General Orders No. 89, by reason of non-registration, to be effective in both cases.

The third provision, you will recollect, was suggested by Governor Orr, and was intended to prevent any possible misconstruction in cases where juries had already been impanelled under the provisions of General Orders No. 89.

The text and intent of these orders is to make every citizen who has paid taxes of any kind, and is morally and intellectually qualified to perform jury duty, liable to the performance of that duty. They do not interfere with the right of your courts to purge the jury-lists of persons who are morally or intellectually disqualified, and the phrase "personally fitted," used in my communication to you of the 11th ultimo, was intended to convey the idea that this "purgation" should be graded by the intellectual and moral fitness of the persons on the jury-lists, and not by their complexion or their poverty. I supposed, from your letter of the 19th ultimo, that you so understood the order. If any of the courts have failed to draw juries in accordance with these provisions, a special term will be necessary.

To guard against any further delays, I will send a copy of this letter to the chairman of each of the county courts, and to the judges of the circuit courts.

Very respectfully, sir, your obedient servant,

ED. R. S. CANBY,  
*Brevet Major General, Commanding.*

Official:

O. M. MITCHELL,  
*Aide-de-Camp.*

His Excellency JONATHAN WORTH,  
*Governor of North Carolina.*

## II.

[Special Orders No. 11.]

HEADQUARTERS SECOND MILITARY DISTRICT,  
*Charleston, S. C., January 27, 1868.*

I. It having been represented that, owing to certain informalities and non-compliance with certain regulations prescribed by the laws of the State, and by military orders for drawing juries in South Carolina, such drawings have in some cases been rendered irregular and invalid, it is ordered:

1. That juries heretofore drawn, or which, previous to the regular spring terms of the circuit courts now approaching, may be drawn for a circuit or district court, in any judicial district of South Carolina, whether the provisions of General Orders No. 32, or No. 89, or No. 100, of the year 1867, from these headquarters, were regarded in the preparation of the list from which any drawing was made, or may be made, and whether such drawing was, or may be, at a regular term of any court, or at an extra court, or by the clerk of a court and the sheriff of a district in the presence of a magistrate, and whether such extra court or drawing by the officers of any court was ordered by the governor of the State, any judge, circuit court or court of appeals, are hereby legalized; and the right of challenge, as given by the said General Orders No. 89, and the necessary drawing of tales, are hereby preserved as heretofore.

2. At the next spring terms of the circuit and district courts respectively, and whensoever thereafter new jury lists are to be made for any district, jury lists shall be prepared from the list of all male citizens therein who shall have paid taxes within the twelve months next preceding; and challenges shall be allowed in conformity with General Orders No. 89.

3. Upon the return of *venires*, the presiding judge of the court shall be authorized, at the impanelling of juries so drawn, to set aside any juror for personal unfitness by reason of intellectual or moral disqualifications; provided, that race, color, or former condition of servitude shall not of itself be a ground of exclusion.

II. The courts of common pleas and general sessions in South Carolina are hereby invested with concurrent jurisdiction with the district courts, of all cases and matters of which the district courts have jurisdiction under the constitution and laws of the State.

III. The provisions of the act of general assembly of the State of South Carolina, entitled "An act to amend the law in relation to tenants," approved December 19, 1866, shall be construed to extend and apply to all cases of tenancies, whether at will or for a term limited by the act of the parties or by operation of law, and whether such tenancies were created by parol or by written leases or contracts of letting, wherever rent shall be due and in arrears, or wherever the tenant shall hold over after the cessation of his right of occupancy. Whenever application is made to a magistrate to remove a tenant for any cause within the intent of said act, as hereby construed, it shall be the duty of such magistrate and of the sheriff or constable to proceed under the act herein recited, and to charge no greater fees than those therein prescribed.

IV. In no criminal case where there is appeal from any other court to the court of appeals, shall it be necessary for the accused to appear in

person before the court of appeals; but in a case of capital felony, the court of appeals, at its discretion, with regard to expediency as to the time and place of sentence, may order a prisoner to be brought before it.

By command of Brevet Major General Ed. R. S. Canby:

LOUIS V. CAZIARC,

*Aide-de-Camp, Acting Assistant Adjutant General.*

Official:

LOUIS V. CAZIARC,

*Aide-de-Camp, Acting Assistant Adjutant General.*

# I.

[From the Edgefield, South Carolina, Advertiser, October 9, 1867.]

## A FEARLESS VENERATOR AND UPHOLDER OF THE CONSTITUTION.

The court of common pleas and general sessions met in fall session at this place on Monday last, his honor Judge Aldrich, of Barnwell, presiding. Below will be found the high-toned, spirited and conscientious address of his honor to the grand jury, and members of the bar at the opening of the court. Of course, under existing circumstances, (the more especially as Edgefield is still without a sheriff,) very little can be done at this session. After the hearing of sundry moves, granting certain orders, and trial of a few cases by consent, the court will in all probability adjourn, after a sitting of not more than two or three days. As to the address of Judge Aldrich, we now give it to our readers. He received his high office from the legislature, and until that body lifts or suspends the required oath, it is undoubtedly the part of conscientiousness, dignity, and true manliness to observe it, in letter and spirit. In his disregard of what is, in these days, a "wise expediency," Judge Aldrich sets a sterling example to his brethren throughout the south.

Gentlemen of the grand jury: Under ordinary circumstances I would be happy to meet you. Some of my most pleasant professional associations are connected with this bar. I remember gratefully how kindly I was received and encouraged, in my youth, by your Jeter, Butler, Brooks, Griffin, Wardlaw, Wimbish, Wigfall and Bauskett, to you honored and familiar names. It will be difficult to find anywhere such a combination of virtue, talent and professional distinction, as is presented in this bright array of my seniors. All but one are in the silent grave. I trust the example of lofty courtesy, and liberal practice, for which these high men were distinguished, and which secured for this bar a reputation so enviable, has left its impress and been followed by their successors.

Gentlemen of the bar: Let not misfortune and suffering lower the standards of our noble profession. Of my cotemporaries it is not necessary to say anything to you. The county has appreciated their talents and services by awarding them its highest political and professional honors.

I need only point to the army roll, to show my juniors standing side by side on that list of patriot names, and comparing proudly with the most gallant and devoted defenders of our holy and lost cause. Well may your district be proud of this record.

Gentlemen of the grand and petit juries: I find myself placed in a very embarrassing position. Anxious to perform my duty, to do all in

my power to restore civil law, and to bring the State into peaceful relations with the government, under the constitution and laws of the Union, I am confronted by General Orders No. 89, and my official oaths.

The one commands me as follows:

[General Orders No. 89.]

HEADQUARTERS SECOND MILITARY DISTRICT,  
Charleston, South Carolina, September 13, 1867.

Paragraph II, of General Orders No. 32, dated May 30, 1867, is modified as follows:

All citizens assessed for taxes, and who shall have paid taxes for the current year, and who are qualified and have been or may be duly registered as voters, are hereby declared qualified to serve as jurors.

It shall be a sufficient ground of challenge to the competency of any person drawn as a juror, that he has not been duly registered as a voter. Such right of challenge may be exercised in behalf of the people, or of the accused, in all criminal proceedings, and by either party in all civil actions and proceedings.

Any requirement of a property qualification for jurors, in addition to the qualifications herein prescribed, is hereby abrogated.

The governors of North and South Carolina, respectively, are hereby authorized and empowered to order, if it should be necessary, special terms of courts, to be held for the purpose of revising and preparing jury lists, and to provide for summoning and drawing jurors in accordance with the requirements of this order.

By command of Brevet Major General Ed. R. S. Canby:

LOUIS V. CAZIARC,

*Aide-de-Camp, Acting Assistant Adjutant General.*

Official:

LOUIS V. CAZIARC,

*Aide-de-Camp.*

The other compels me, "to the best of my ability, to discharge the duties of my office, and preserve, protect, and defend the constitution of this State and that of the United States;" also, "that I will to the best of my ability, so far as I may be concerned in the drawing, balloting, impanelling or summoning of juries, truly, diligently, and uprightly carry into due and faithful execution the act of the general assembly, commonly called the jury law, passed A. D. 1831, as the same has been since altered or amended, or may be so hereafter." I am thus forced to the construction of this order in connection with these oaths. If in obeying the order I am not "discharging the duties of my office," do not "preserve, protect, and defend the constitution of this State and that of the United States," and do not "carry into due and faithful execution the act of the general assembly, commonly called the jury law," I will be guilty of violating these solemn obligations.

As this question addresses itself to the conscience of each public officer who is embraced in the order, and is hereby, personal, of course each must decide for himself; and my individual judgment will in no wise affect any other officer who may come to a different conclusion.

Believing as I do that the present Congress is an usurping body, and that its attacks upon the co-ordinate departments of government, and the United States and State constitutions, are fast reducing the country to the condition of party vassalage, I cannot retain my self-respect, conscientiously perform the obligations of my oaths of office, and lend my aid to support and perpetuate the tyranny of which we complain.

I do not propose to argue the question. I simply announce my conviction. If I unfortunately differ from others in the like position, it is a situation in which I have been placed before; and however distressing it may be to be cut off from the sympathy and support of those whom I honor, respect, and esteem, I trust I will always have sufficient manhood and fortitude to sustain me in doing my duty to my God, my country, and myself.



When I remember the history of my beloved State, whose record is without a stain; when I remember the character of the great men who have preceded me in this office, whose reputations are glorious examples; when I reflect sorrowfully on the present condition of my poor country, delivered over to the rule of passion, prejudice, and ignorance, it will be some comfort for my children to be able to say, when my cause is condemned, or my memory reproached, "he acted in the conscientious discharge of his duty, and endeavored, as long as he was permitted, to preserve the ancient honor of his beloved State." Believing, then, that duty, honor, and conscience constrain me, I announce that I cannot and will not execute this order.

Mr. Solicitor and gentlemen of the bar: The juries have been drawn, impanelled, and summoned, in obedience to the jury law of South Carolina, whose judge I am. I am now ready to proceed with the call of the dockets.

## K.

*Memorandum respecting law of burglary.*

First.—In South Carolina there are no degrees of burglary, and the *locus* or place where it may be committed is widely extended.

The act of 1866, No. 4,802, page 405, entitled "An act to alter the act entitled 'An act to amend the criminal law,'" section 3, provides: "III. With respect to the crimes of burglary and arson, and to all criminal offences which are constituted or aggravated by being committed in a dwelling-house, any house, out-house, apartment, building, erection, shed, or box, in which there sleeps a proprietor, tenant, watchman, clerk, laborer, or person who lodges there with a view to the protection of property, shall be deemed a dwelling-house; and of such a dwelling-house, or of any other dwelling-house, all houses, out-houses, buildings, sheds, and erections which are within two hundred yards of it, and are appurtenant to it, or to the same establishment of which it is an appurtenance, shall be deemed parcels."—(Statutes of South Carolina, 1862-6.)

## L.

A.—*Statement of crimes committed in the 2d military district from January 1, 1867, to June 30, 1868, as reported by sheriffs of counties in North Carolina, and sheriffs of districts in South Carolina, and also by post commanders in North and South Carolina.*

Crime.	White.	Black.	Unknown.	Total.
Murder.....	89	97	11	197
Infanticide.....	4	4	.....	8
Mayhem.....	4	.....	.....	4
Manslaughter.....	5	5	.....	10
Assault with intent to kill.....	74	65	3	142
Rape.....	15	34	.....	49
Assault with intent to ravish.....	7	18	1	26
Assault and battery.....	280	266	2	548
Arson.....	10	20	.....	36
Burglary.....	20	196	25	241
Highway robbery.....	6	3	1	10
Horse stealing.....	29	12	2	43
Robbery.....	19	41	7	67
Larceny.....	254	1,227	29	1,510
Receiving stolen property.....	9	3	1	13
Forgery.....	6	6	.....	12
Bastardy.....	2	3	.....	5
Riot.....	6	20	.....	26

## A.—Statement of crimes, &amp;c.—Continued.

Crime.	White.	Black.	Unknown.	Total.
Breach of the peace.....	74	75	.....	149
Trespass.....	40	36	.....	76
Malfeasance in office.....	.....	1	.....	1
False imprisonment.....	.....	3	.....	3
Malicious mischief.....	14	9	.....	23
Carrying deadly weapons.....	.....	1	.....	1
Assault with intent to rob.....	.....	.....	1	1
Armed meetings.....	.....	3	.....	3
Violation of general orders.....	10	12	.....	22
Abducting children.....	.....	2	.....	2
Resisting an officer.....	.....	1	.....	1
Adultery and fornication.....	4	5	.....	9
Fraud and swindling.....	4	1	.....	5
Miscellaneous.....	30	77	.....	107
Not stated.....	.....	6	.....	6
Total.....	1,015	2,252	89	3,356

## (a) B.—Commitments to jail by the civil authorities in the 2d military district.

Crime.	White.	Black.	Total.
Murder.....	150	202	352
Infanticide.....	4	4	8
Manslaughter.....	18	14	32
Assault with intent to kill.....	18	66	84
Rape.....	10	51	61
Assault with intent to ravish.....	2	23	25
Assault and battery.....	188	326	514
Arson.....	18	76	94
Burglary.....	50	345	395
Highway robbery.....	3	7	10
Horse stealing.....	71	69	140
Robbery.....	28	48	76
Larceny.....	389	3,065	3,454
Receiving stolen property.....	8	22	30
Forgery.....	20	7	27
Counterfeiting.....	.....	8	8
Adultery and fornication.....	15	11	26
Bigamy.....	3	.....	3
Perjury.....	1	13	14
Riot.....	2	48	50
Robbing United States mail.....	1	.....	1
Bastardy.....	1	3	4
Concealing birth.....	1	2	3
Breach of the peace.....	255	287	552
Trespass.....	32	50	82
Contempt of court.....	.....	5	5
Conspiracy.....	4	.....	4
Obstructing a railroad.....	2	3	5
Miscellaneous.....	156	485	641
Violating United States revenue laws.....	8	5	13
Unknown.....	43	50	93
Total.....	1,501	5,295	6,796

(a) The sheriffs are required to report the "commitments" only, consequently table B does not include any persons arrested who were discharged or admitted to bail at the preliminary examinations.

(b) C.—Arrests made by military authority in the 2d military district from March 2, 1867, to July 24, 1868. (See General Orders 145 of that date.)

Crime.	White.	Black.	Total.
Murder.....	54	50	104
Accessory to murder.....	6	.....	6
Assault with intent to kill.....	31	11	42
Assault and battery.....	100	60	160
Rape.....	2	.....	2
Assault with intent to ravish.....	.....	3	3
Arson.....	2	8	10
Burglary.....	1	25	26
Larceny.....	32	233	265
Breach of the peace.....	24	55	79
Obstructing a railroad.....	2	5	7
Armed meetings.....	.....	6	6
Swindling.....	3	1	4
Resisting civil officers.....	5	3	8
Horse stealing.....	1	2	3
Selling liquor to soldiers.....	36	4	40
Selling liquor without license.....	40	6	46
Carrying deadly weapons.....	48	25	73
Robbery.....	13	6	19
Receiving stolen property.....	.....	1	1
Perjury.....	2	5	7
Riot.....	6	15	21
Malicious mischief.....	10	10	20
Violation of general orders.....	36	14	50
Miscellaneous.....	69	44	113
Cause not reported.....	3	19	22
Total.....	526	611	1,137
Accounted for as follows:			
(c) Discharged on preliminary examination or acquitted on trial.....	169	266	435
Discharged on payment of fine.....	60	13	73
Discharged by expiration of sentence.....	36	84	120
(d) Discharged on bail.....	144	118	262
Pardoned.....	18	10	28
Turned over to civil authorities for trial.....	16	15	31
Transferred to other places out of the district for trial.....	2	2	4
Discharged or transferred to civil authorities under General Orders 131 and 136, paragraphs V and VI.....	64	75	139
Under sentence.....	15	26	41
Awaiting sentence.....	2	2	4
Total.....	526	611	1,137

(b) Arrests made by the military at the request of the civil authorities have not been classed as military arrests, and are not included in this table (C,) but it includes soldiers arrested for offences against the civil law.

(c) This number includes persons arrested as witnesses.

(d) Released upon personal recognizances to keep the peace, or security for good behavior.

The total number of citizens tried by military tribunals from January 1, 1867, to June 30, 1868, is 526.

**L.—Statement of the number of trials by military commissions and other military tribunals in the second military district from January 1, 1867, to June 30, 1868.**

Crimes charged.	Cases tried.			Guilty.			Not guilty.			Remissions.			
										Whites.		Blacks.	
	Whites.	Blacks.	Total.	Whites.	Blacks.	Total.	Whites.	Blacks.	Total.	Partially.	Wholly.	Partially.	Wholly.
Murder.....	4	15	19	3	3	6	1	12	13	3	....	2	1
Manlaughter.....	2	3	5	2	2	4	1	1	2	....	....	....	....
Arson.....	2	3	5	2	2	4	3	2	5	7	....	2	....
Assault, intent to kill.....	21	6	27	18	4	22	3	2	5	....	....	....	....
Assault, intent to commit rape.....	3	3	6	3	3	6	....	....	....	....	....	....	....
Assault and battery.....	61	13	74	53	8	61	8	5	13	5	....	....	....
High way robbery.....	4	1	5	4	1	5	....	....	....	3	....	....	....
Burglary.....	5	4	9	5	4	9	....	....	....	....	....	2	1
Larceny.....	43	55	98	38	47	85	5	8	13	6	2	3	9
Riot.....	21	7	28	11	7	18	10	....	10	3	....	....	....
Malicious trespass.....	8	7	15	4	5	9	4	2	6	....	....	1	....
Concealing stolen property.....	10	2	12	7	1	8	3	1	4	....	....	....	....
Obstructing railroads.....	9	9	18	1	1	2	8	....	8	1	....	....	....
Perjury.....	1	1	2	1	1	2	....	....	....	....	....	....	1
Holding illegal court.....	1	8	9	1	8	9	....	....	....	....	1	....	8
Selling liquor to soldiers.....	41	7	48	38	7	45	3	....	3	6	1	1	1
Selling liquor without license.....	44	9	53	43	9	52	1	....	1	12	....	....	....
Distilling liquor in violation of military orders.....	3	3	6	2	2	4	1	....	1	2	....	....	....
Preventing registration or voting.....	11	2	13	....	2	2	11	....	11	....	....	....	2
Carrying concealed weapons.....	54	27	81	50	23	73	4	4	8	9	6	3	3
Miscellaneous.....	23	12	35	20	10	30	3	2	5	6	6	6	3
<b>Total.....</b>	<b>368</b>	<b>182</b>	<b>550</b>	<b>303</b>	<b>142</b>	<b>445</b>	<b>65</b>	<b>40</b>	<b>105</b>	<b>63</b>	<b>17</b>	<b>20</b>	<b>29</b>

N.—List of persons remaining in confinement in the second military district by virtue of the sentence of 1867, or awaiting promul

No.	Name.	Class.	Color.	Residence.	
				County.	State.
1	Sylvanus F. Buckhard.....	Citizen.....	White.....	Catawba.....	North Carolina.....
2	Thomas Powers.....	do.....	do.....	Cumberland.....	do.....
3	W. J. Tolan.....	do.....	do.....	do.....	do.....
4	Butler Glover.....	do.....	Black.....	Edgefield.....	South Carolina.....
5	Page Ayers†.....	do.....	do.....	Barnwell.....	do.....
6	Gabriel Still†.....	do.....	do.....	do.....	do.....
7	Robert Kennedy.....	do.....	White.....	Rutherford.....	North Carolina.....
8	Charles Lanaham†.....	do.....	Black.....	Barnwell.....	South Carolina.....
9	Caleb Chamberlain†.....	do.....	do.....	do.....	do.....
10	Henry McCord.....	do.....	do.....	do.....	do.....
11	John McCord.....	do.....	do.....	do.....	do.....
12	Henry Howle.....	do.....	do.....	do.....	do.....
13	Edward Saunders†.....	do.....	do.....	do.....	do.....
14	Isaac Sykes.....	do.....	do.....	Richland.....	do.....
15	George Hayes.....	do.....	do.....	do.....	do.....
16	William Kirkland.....	do.....	do.....	do.....	do.....
17	Perry Reese.....	do.....	do.....	do.....	do.....
18	John Montgomery.....	do.....	do.....	do.....	do.....
19	W. M. A. Jennings.....	do.....	White.....	Lexington.....	do.....
20	C. C. Harris.....	do.....	do.....	Richland.....	do.....
21	Calvin B. Edwards.....	do.....	do.....	Wilks.....	North Carolina.....
22	Haywood Bell.....	do.....	Black.....	Darlington.....	South Carolina.....
23	Dryden Padgett.....	do.....	White.....	Barnwell.....	do.....
24	Bram Washington.....	do.....	Black.....	Beaufort.....	do.....
25	Samuel Perry.....	do.....	do.....	do.....	do.....
26	Frederick Mansfield.....	do.....	do.....	Berkeley.....	do.....
27	Isaac Owens.....	do.....	White.....	Kershaw.....	do.....
28	Robert Smith.....	do.....	do.....	Pickens.....	do.....
29	Toby Riggs.....	do.....	Black.....	Beaufort.....	do.....
30	Jack Rivers†.....	do.....	do.....	do.....	do.....
31	Jack Miller.....	do.....	do.....	do.....	do.....
32	Fanny Brown†.....	do.....	do.....	do.....	do.....
33	E. M. Hirt*.....	do.....	White.....	Charleston.....	do.....
34	Albert Kew.....	do.....	Black.....	Beaufort.....	do.....
35	Edward O'Keefe†.....	do.....	White.....	Chowan.....	North Carolina.....
36	John Donohu.....	Soldier.....	do.....	do.....	do.....
37	Michael Kelly.....	do.....	do.....	do.....	do.....
38	Jacob Green.....	Citizen.....	Black.....	Edgefield.....	South Carolina.....
39	George Taylor.....	do.....	do.....	do.....	do.....
40	John Hunter.....	Soldier.....	White.....	do.....	do.....
41	Linden Allen†.....	Citizen.....	Black.....	Beaufort.....	South Carolina.....
42	Michael Harley†.....	Soldier.....	White.....	do.....	do.....
43	Henry Matthews†.....	do.....	do.....	do.....	do.....
44	James Stephens†.....	do.....	Black.....	do.....	do.....
45	Bennet McDaniel†.....	do.....	do.....	do.....	do.....

## NOTES.

Those whose names are marked (\*) have been recommended for discharge.

Those marked thus (†) have been recommended for the remission of the unexpired part of their sentences.

In the cases marked thus (‡) the proceedings have been forwarded for the action of the President.

*ces of military commissions or other military tribunals, organized under the law of March 2, 1867, and the execution of such sentences.*

Crime.	Sentence.		
	Period.	Commencement.	End.
Assault with intent to kill .....	Seven years .....	May 18, 1867	May 17, 1874
Murder .....	Fifteen years .....	Nov. 15, 1867	Nov. 14, 1882
.....do.....	.....do.....	Nov. 15, 1867	Nov. 14, 1882
Highway robbery .....	Five years .....	June 30, 1867	June 29, 1872
Riot .....	One year .....	Sept. 18, 1867	Sept. 17, 1868
.....do.....	.....do.....	Sept. 18, 1867	Sept. 17, 1868
Larceny .....	.....do.....	Nov. 19, 1867	Nov. 18, 1868
.....do.....	.....do.....	Oct. 25, 1867	Oct. 24, 1868
Burglary .....	Nine years .....	Oct. 25, 1867	Oct. 24, 1876
.....do.....	.....do.....	Oct. 25, 1867	Oct. 24, 1876
.....do.....	.....do.....	Oct. 25, 1867	Oct. 24, 1876
.....do.....	.....do.....	Oct. 25, 1867	Oct. 24, 1876
.....do.....	One year .....	Nov. 1, 1867	Oct. 31, 1868
Receiving stolen goods .....	.....do.....	Dec. 17, 1867	Dec. 16, 1868
.....do.....	.....do.....	Dec. 17, 1867	Dec. 16, 1868
.....do.....	.....do.....	Dec. 17, 1867	Dec. 16, 1868
.....do.....	.....do.....	Dec. 17, 1867	Dec. 16, 1868
Obstructing railroads .....	Three years .....	Dec. 28, 1867	Dec. 27, 1870
Robbery .....	Four years .....	Oct. 19, 1867	Oct. 18, 1871
.....do.....	One year .....	Dec. 13, 1867	Dec. 12, 1868
Assault with intent to kill .....	.....do.....	Dec. 23, 1867	Dec. 22, 1868
Larceny .....	Two years .....	Feb. 24, 1868	Feb. 23, 1870
Assault with intent to kill .....	One year .....	March 16, 1868	March 15, 1869
Larceny .....	.....do.....	Feb. 25, 1868	Feb. 24, 1869
.....do.....	Eighteen months .....	Feb. 25, 1868	Aug. 24, 1869
.....do.....	One year .....	Feb. 25, 1868	Feb. 24, 1869
Manslaughter .....	Five years .....	April 4, 1868	April 3, 1873
Malicious mischief .....	Six months .....	April 15, 1868	Oct. 14, 1868
Assault with intent to kill .....	.....do.....	June 5, 1868	Dec. 4, 1868
Larceny .....	.....do.....	April 25, 1868	Oct. 24, 1868
Murder .....	Two years .....	March 12, 1868	March 11, 1870
Larceny .....	Three months .....	June 18, 1868	Sept. 17, 1868
Violation of military orders .....	Fined \$75, or two months .....	July 10, 1868	Sept. 9, 1868
Burglary .....	One year .....	June 27, 1868	June 26, 1869
Assault with intent to kill .....	Three months .....	June 20, 1868	Sept. 19, 1868
Arson .....	Five years .....	Feb. 4, 1868	Feb. 3, 1873
.....do.....	.....do.....	Feb. 4, 1868	Feb. 3, 1873
Murder .....	Ten years .....	July 15, 1868	July 14, 1878
.....do.....	.....do.....	July 15, 1868	July 14, 1878
Robbery .....	Five years .....	July 20, 1868	July 19, 1873
Assault .....	Three months .....	July 11, 1868	Oct. 10, 1868
Rape .....	.....do.....	.....do.....	.....do.....
.....do.....	.....do.....	.....do.....	.....do.....
Murder .....	.....do.....	.....do.....	.....do.....
.....do.....	.....do.....	.....do.....	.....do.....

N.—List of persons remaining in confinement in the second military district, &c.—Continued.

No.	Name.	Authority.	Where confined.	Remarks.
1	Sylvia's F. Buckhard.	Mil. com'n.	Fort Macon, N. C.	See G. O., 2d mil. dist., No. 23, of 1867.
2	Thomas Powers.	do.	do.	See G. O., 2d mil. dist., No. 118, of 1867.
3	W. J. Tolan.	do.	do.	See G. O., 2d mil. dist., No. 118, of 1867.
4	Butler Glover.	Pro. court.	do.	See S. O., 2d mil. dist., No. 80, of 1867.
5	Page Ayers†.	do.	do.	See S. O., 2d mil. dist., No. 156, of 1867.
6	Gabriel Stilt†.	do.	do.	See S. O., 2d mil. dist., No. 156, of 1867.
7	Robert Kennedy.	Mil. com'n.	do.	See G. O., 2d mil. dist., No. 123, of 1867.
8	Charles Lanaham†.	Pro. court.	do.	See S. O., 2d mil. dist., No. 188, of 1867.
9	Caleb Chamberlain†.	do.	Castle Pinckney, S. C., under orders for Ft. Macon, N. C.	See S. O., 2d mil. dist., No. 188, of 1867.
10	Henry McCord.	do.	do.	See S. O., 2d mil. dist., No. 166, of 1867.
11	John McCord.	do.	do.	See S. O., 2d mil. dist., No. 188, of 1867.
12	Henry Howle.	do.	do.	See S. O., 2d mil. dist., No. 156, of 1867.
13	Edward Saunders†.	do.	Fort Macon, N. C.	See S. O., 2d mil. dist., No. 195, of 1867.
14	Isaac Sykes.	Mil. com'n.	do.	See G. O., 2d mil. dist., No. 154, of 1867.
15	George Hayes.	do.	do.	See G. O., 2d mil. dist., No. 154, of 1867.
16	William Kirkland.	do.	do.	See G. O., 2d mil. dist., No. 154, of 1867.
17	Perry Reese.	do.	do.	See G. O., 2d mil. dist., No. 154, of 1867.
18	John Montgomery.	do.	do.	See G. O., 2d mil. dist., No. 161, of 1867.
19	W. M. A. Jennings.	do.	do.	See G. O., 2d mil. dist., No. 103, of 1867.
20	C. C. Harris.	do.	do.	See G. O., 2d mil. dist., No. 149, of 1867.
21	Calvin B. Edwards.	do.	do.	See G. O., 2d mil. dist., No. 158, of 1867.
22	Haywood Bell.	Pro. court.	do.	See S. O., 2d mil. dist., No. 46, of 1868.
23	Dryden Padget.	do.	do.	See S. O., 2d mil. dist., No. 63, of 1868.
24	Bram Washington.	do.	do.	See S. O., 2d mil. dist., No. 47, of 1868.
25	Samuel Perry.	do.	do.	See S. O., 2d mil. dist., No. 47, of 1868.
26	Frederick Mansfield.	do.	do.	See S. O., 2d mil. dist., No. 47, of 1868.
27	Isaac Owens.	Mil. com'n.	do.	See G. O., 2d mil. dist., No. 58, of 1868.
28	Robert Smith.	do.	do.	See G. O., 2d mil. dist., No. 68, of 1868.
29	Toby Riggs.	do.	do.	See G. O., 2d mil. dist., No. 98, of 1868.
30	Jack Rivers†.	Pro. court.	do.	See S. O., 2d mil. dist., No. 97, of 1868.
31	Jack Miller.	Mil. com'n.	Castle Pinckney, S. C., under orders for Ft. Macon, N. C.	See G. O., 2d mil. dist., No. 38, of 1868.
32	Fanny Brown†.	Pro. court.	Beaufort jail, S. C.	See S. O., 2d mil. dist., No. 140, of 1868.
33	E. M. Hirt*.	do.	Castle Pinckney.	See S. O., 2d mil. dist., No. 157, of 1868.
34	Albert Kew.	do.	Fort Macon, N. C.	See S. O., 2d mil. dist., No. 147, of 1868.
35	Edward O'Keefe.	do.	Goldsboro', N. C.	See S. O., 2d mil. dist., No. 142, of 1868.
36	John Donohu.	Mil. com'n.	Fort Macon, N. C.	See G. O., 2d mil. dist., No. 16, of 1868.
37	Michael Kelly.	do.	do.	See G. O., 2d mil. dist., No. 16, of 1868.
38	Jacob Green.	do.	do.	See S. O., 2d mil. dist., No. 140, of 1868.
39	George Taylor.	do.	do.	See S. O., 2d mil. dist., No. 140, of 1868.
40	John Hunter.	do.	Penitentiary, Columbia, S. C.	See S. O., 2d mil. dist., No. 143, of 1868.
41	Linden Allen†.	Pro. court.	County jail, Beaufort, S. C.	See S. O., 2d mil. dist., No. 138, of 1868.
42	Michael Harley†.	do.	In confinement at Ft. Macon, N. C.	Awaiting sentence.
43	Henry Matthews†.	do.	do.	Do.
44	James Stephens†.	do.	do.	Do.
45	Bennet McDaniel†.	do.	do.	Do.

EDM. CANBY,  
Brevet Major General, Commanding.

Those marked thus (\*) have been recommended for discharge.

Those marked thus (†) have been recommended for the remission of the unexpired part of their sentences. In the cases marked thus (‡) the proceedings have been forwarded for the action of the President.

N.—List of persons remaining in confinement in the second military district, &c.—Continued.

Name.	White or colored.	Citizen or soldier.	Offence charged.	Finding.	Sentence.	By what court.	Remarks.
Thomas Grice	Colored	Citizen	Larceny	Guilty	2 y'rs hard labor, Ft. Macon	Provost court, Edgefield	In this case remitted.
Jack Satchu	do	do	do	do	do	do	
Martin Watson	do	do	do	do	do	do	
William Baskin	do	do	do	do	1 year, Ft. Macon	Provost court, Hilton Head	Sentence remitted.
Sambo Smith	do	do	do	do	do	do	
Wiley Mitchell	White	do	Holding illegal court	do	\$20 and 1 month	Post court, Darlington, S. C.	
Bob Ward	Colored	do	do	do	\$6 and 1 month	do	Do.
Dublin Morris	do	do	do	do	do	do	Do.
Darney Cannon	do	do	do	do	do	do	Do.
Isaac Ward	do	do	do	do	do	do	Do.
Bram Conard	do	do	do	do	do	do	Do.
John Conard	do	do	do	do	do	do	Do.
Peter Morris	do	do	do	do	do	do	Do.
Wesley Heyburn	do	do	do	do	do	do	Do.
Cinton Ward	White	do	Assault with intent to kill	do	\$25 or 25 days	Provost court, Aikin, S. C.	Confinement remitted.
John Perry	do	do	do	do	\$100 and 3 years	do	
Annie Kenedy	do	do	Violating Par. X, G. O. 12	do	\$75 or 6 weeks	Post court, Wilmington	
Richard Lundy	do	do	Larceny	do	\$15 or 15 days	Provost court, Aikin	Acquitted.
James Red	do	do	Assault and battery	do	\$50 and 30 days	do	
Jesse Thomson	Colored	do	Larceny	do	\$7 and 2 months	do	
William Taylor	do	do	do	do	\$21 88 or 25 days	do	Fort Macon.
Erasmus Daniels	do	do	do	do	Costs and 5 years, Ft. Macon	do	
— Westley	do	do	do	do	do	do	
— Alexander	do	do	do	do	do	do	One month remitted.
Geo. D. Fergerson	White	do	Violating Par. X, G. O. 12	do	\$25 and 1 month	Military tribunal, Chester	
Chas. Gustus	Colored	do	Violating Par. XII, G. O. 10	Not guilty	do	do	
Benj. Graham	do	do	do	Guilty	2 months	do	Fort Macon.
James Reidle	White	do	Violating Par. X, G. O. 12	do	\$50 fine	Post court, Newbern	
John W. Day	do	do	do	do	do	do	
F. D. Slatcher	do	do	do	do	do	do	Do.
Sidney Summers	do	do	Furnishing liquor to soldiers	do	2 months, Ft. Macon	Post court, Margantine	
A. H. Stewart	do	do	Carrying deadly weapons	do	\$150 or 2 months	Post court, Charlotte	
Green Barringer	do	do	do	do	\$100 or 6 weeks	do	Confinement remitted.
James Dodd	do	do	Violation Par. I, G. O. 10, Dept. South Carolina	do	\$50 or 2 months	Post court, Darlington	
Thos. L. Hartsfield	do	do	Violation Par. XII, G. O. 10	do	\$100 and 3 months	Post court, Goldsboro'	
R. C. Wallace	do	do	Furnishing liquor to soldiers	do	\$50 or 2 months	Post court, Georgetown	Mitigated to 30 days.
Butler Glover	Colored	do	Highway robbery	do	5 years, Ft. Macon	Provost court, Aikin	
Geo. Slaughter	White	do	Violation Par. XII, G. O. 10	do	6 months	Post court, Raleigh	
M. S. Phillips	do	do	Violation Par. X, G. O. 12	do	\$50	Post court, Fayetteville	Mitigated to \$12½; 50 days later this sentence remitted on condition of his leaving department.
Ira G. Smythe	do	do	Violation Par. XII, G. O. 10	do	\$100 or 2 months	Military tribunal, Charlotte	
Wm. Perry	Colored	do	do	do	1 week	Mil. tribunal, Raleigh	



N.—List of persons remaining in confinement in the second military district, &c.—Continued.

Name.	White or colored	Citizen or soldier.	Offence charged.	Finding.	Sentence.	By what court.	Remarks.
Chas. Frender .....	White ..	Citizen ..	Violation Par. VI, G. O. 32..	Gulity ..	\$50 .....	Mil. tribunal, Charleston ..	
Ezekiel Shirrell .....	do .....	do .....	Aiding larceny, harboring stolen property, and inciting riot.	do .....	\$200 and 2 years in State penitentiary, Columbia.	Mil. tribunal, Darlington ..	
Edward Whitman .....	do .....	do .....	Selling liquor without license	do .....	\$50 .....	Mil. tribunal, Charleston ..	Remitted if unexecuted.
Chas. Sinkland .....	do .....	do .....	do .....	do .....	\$50 .....	do .....	Do.
John O. Connor .....	do .....	do .....	do .....	do .....	\$50 .....	do .....	
Fred. Ulrich .....	do .....	do .....	do .....	do .....	\$50 .....	do .....	
Alex. Taylor .....	do .....	do .....	do .....	do .....	\$50 .....	do .....	Do.
Jas. F. Cullen .....	do .....	do .....	Selling liquor to soldiers.	do .....	\$50 or 60 days .....	Mil. tribunal, Hilton Head ..	
Ned Tate .....	Colored ..	do .....	Carrying deadly weapons ..	do .....	2 months .....	Mil. tribunal, Chester ..	
John Lichen .....	White ..	do .....	Selling liquor without license	do .....	\$100 or 2 months .....	Mil. tribunal, Charleston ..	
Robt. Williams .....	do .....	do .....	Carrying deadly weapons ..	do .....	4 weeks .....	Mil. tribunal, Raleigh ..	
Elipha Ferguson .....	do .....	do .....	do .....	do .....	\$20 .....	Mil. tribunal, Unionville ..	
Thos. D. Close .....	do .....	do .....	do .....	do .....	\$60 .....	Mil. tribunal, Goldsboro' ..	Remitted.
Reuben Douglas .....	do .....	do .....	do .....	do .....	6 months .....	Mil. tribunal, Columbia ..	Disapproved and released.
Martin Muntzler .....	do .....	do .....	Selling liquor to soldiers without license.	do .....	\$100 or 2 months .....	Mil. tribunal, Charlotte ..	
Edward Holt .....	Colored ..	do .....	Carrying deadly weapons ..	do .....	\$15 or 2 weeks .....	do .....	
Solomon Jamieson .....	do .....	do .....	do .....	do .....	do .....	do .....	
Geo. Tolson .....	White ..	do .....	Aiding larceny and receiving stolen property.	do .....	1 year, Fort Macon ..	Mil. tribunal, Darlington ..	
Henry Jowles .....	do .....	do .....	Administering corporal punishment.	do .....	\$100 .....	Mil. tribunal, Charleston ..	
John Mulcahy .....	do .....	do .....	Selling liquor to soldiers ..	do .....	\$100 .....	Mil. tribunal, Columbia ..	Confinement limited to two months.
Richard Clark .....	do .....	do .....	do .....	do .....	\$50 .....	do .....	Do.
Jno. S. McIntosh .....	do .....	do .....	do .....	do .....	\$100 .....	do .....	
Edward McGweer .....	do .....	do .....	Assault and battery and interfering with gov't officials.	do .....	\$200 or 2 months .....	Mil. tribunal, Wilmington ..	
C. Godwin .....	do .....	do .....	do .....	do .....	\$50 or 30 days .....	do .....	
A. J. McNair .....	do .....	do .....	do .....	Not guilty ..	do .....	do .....	Released.
John Creach .....	do .....	do .....	Carrying deadly weapons ..	Gulity .....	4 weeks .....	Mil. tribunal, Raleigh ..	Remitted.
B. B. Stanley .....	do .....	do .....	Carrying deadly weapons ..	do .....	\$200 .....	Mil. tribunal, Charleston ..	
— Ellis .....	Colored ..	do .....	Larceny .....	do .....	5 days .....	do .....	Remitted.
F. M. Harper .....	White ..	do .....	Selling liquor without license	do .....	\$250 and 3 months .....	Mil. tribunal, Newbern ..	Sheriff imprisonment remitted.
O. Hubbs .....	do .....	do .....	do .....	do .....	\$60 .....	do .....	
Jas. Laughlin .....	do .....	do .....	do .....	do .....	\$60 .....	do .....	
John Hatch .....	Colored ..	do .....	do .....	do .....	2 months .....	do .....	
Daniel Burton .....	do .....	do .....	Carrying deadly weapons ..	do .....	20 days .....	do .....	
Isaac Aakil .....	do .....	do .....	Selling liquor without license	do .....	1 month .....	do .....	
Simon Johnson .....	do .....	do .....	do .....	do .....	\$50 .....	do .....	
Wm. Perry .....	do .....	do .....	Carrying deadly weapons ..	do .....	2 months .....	Mil. tribunal, Raleigh ..	
Richard F. Butts .....	White ..	do .....	do .....	Not guilty ..	do .....	Mil. tribunal, Goldsboro' ..	Released.
James Richards .....	do .....	do .....	Distilling liquor in violation of orders.	Gulity .....	Forfeiture apparatus and pay \$478 and 6 months.	Mil. tribunal, Columbia ..	Imprison't remitted on payment of fine; fine subseq'tly reduced to \$250.

Geo. Robinson, <i>alias</i> Spears.	Colored.	do.	Assault and battery.	do.	\$25, or 6 weeks.	Provost court, Sumter.	
Moses Frierson	do.	do.	Larceny.	do.	\$50, or 6 weeks.	do.	After 40 days, unexecuted portion remitted.
Jas. Alf. Pack			do.	do.	\$15, or 2 weeks.	do.	
Harriet Pack			do.	Not guilty		do.	Released.
Canny Pack.			do.	do.		do.	Do.
Maria Oxendine			do.	do.		do.	Do.
Le. Vollers	White	Citizen	Selling liquor without license	Guilty	\$300, 6 months.	Mil. tribunal, Wilmington	
Martin Shulkins	do.	do.	do.	do.	do.	do.	
D. M. Brooks	do.	do.	do.	do.	\$25, or 2 weeks.	Mil. tribunal, Shelby, N. C.	
J. W. Wall	do.	do.	do.	do.	do.	do.	
Jas. Underwood	do.	do.	Selling liquor to soldiers.	do.	\$50.	Mil. tribunal, Fayetteville.	
Wm. Terry	do.	do.	do.	do.	\$50.	do.	Partially remitted.
John Brady	do.	do.	Distilling liquors.	Not guilty		Mil. tribunal, Morgantown.	Released.
Adeline Little	do.	do.	Selling liquor without license to soldiers.	Guilty.	\$100.	Mil. tribunal, Fayetteville.	
John Huntzinger	do.	do.	Distilling liquors.	do.	\$100 and 4 months.	Mil. tribunal, Morgantown.	Mitigated to \$100 and confinement not exceeding 30 days.
Wm. H. Meetze	do.	do.	Carrying deadly weapons	do.	1 month.	Mil. tribunal, Columbia	Remitted.
Miles Armstrong.	Colored	do.	Selling liquor to soldiers.	do.	do.	Mil. tribunal, Wilmington	Do.
B. J. Ramage	White	do.	Making discrimination, as common carrier, on account of color.	do.	\$35, or 50 days.	Mil. tribunal, Newberry.	Do.
Stephen Golphin	do.	do.	Assault and battery.	do.	\$111, or 4 months.	Provost court, Aikin.	
Mansford Heath	do.	do.	Assault and intent to kill.	do.	\$40, or 60 days.	do.	\$20 remitted.
Missouri McHane	do.	do.	Assault and battery.	do.	\$20, or 30 days.	do.	
Andrew J. Heath	do.	do.	Assault and intent to kill.	Not guilty		do.	Released.
Mansford Heath	do.	do.	do.	Guilty	\$27, or 30 days.	do.	\$5 remitted.
Stephen Moyer	do.	do.	Assault and battery.	do.	\$39, or 30 days.	do.	
Frank Mixon	do.	do.	do.	do.	\$43, or 50 days.	do.	
Fletcher Aaron	do.	do.	Malignant trespass and assault	do.	\$75, or 3 months and costs.	do.	
James Lutz	do.	do.	do.	do.	do.	do.	
Lewis Davis.	do.	do.	Larceny	Not guilty		do.	Released.
Gilbert Mathews	do.	do.	do.	Guilty	Costs, or 30 days.	do.	
Page Ayer	do.	do.	Riot.	do.	Costs and 2 years.	do.	Mitigated to one year.
Peter Ayer	do.	do.	do.	Not guilty		do.	Released.
Gabriel Still	do.	do.	do.	Guilty	Costs and 2 years.	do.	Mitigated to one year.
Little Ad. Nimmons.	do.	do.	do.	Not guilty		do.	Released.
John Sartor	do.	do.	Discharging laborers to prevent registration.	do.		Mil. tribunal, Unionsville.	Do.
John Mitchel	do.	do.	Larceny.	Guilty	Costs and 2 years.	Provost court, Aikin.	Fort Macon; partially remitted.
Chas. Martin	do.	do.	do.	do.	do.	do.	Do.
Adam Shafon	do.	do.	do.	Not guilty		do.	Released.
Barnabas Britton, <i>alias</i> Hamilton.	do.	do.	do.	do.		Provost court, Sumter.	Do.
Radeliffe Britton	do.	do.	do.	Guilty	12 calendar months.	do.	Fort Macon.
Thomas Berry, <i>alias</i> Dingle.	do.	do.	do.	do.	\$40, or 4 months.	do.	Do.
Dave Britton	do.	do.	do.	do.	6 calendar months.	do.	Do.
Sambo Fraser	do.	do.	Assault	do.	\$5, or 1 month; bound to keep peace.	do.	

N.—List of persons remaining in confinement in the second military district, &c.—Continued.

Name.	White or colored.	Citizen or soldier.	Offence charged.	Finding.	Sentence.	By what court.	Remarks.
John Orr.....	White	Citizen	Larceny.....	Guilty.....	\$25, or 6 weeks.....	Provost court, Sumter.....	
Edmund Barkley.....	do.	do.	do.....	do.....	\$5, or 1 month.....	do.....	
Jas. McAlilly.....	Colored.	do.	Carrying deadly weapons.....	do.....	1 month.....	Mil. tribunal, Chester.....	
Calvin Reese.....	White	do.	Selling liquor to soldiers.....	do.....	\$50.....	Mil. tribunal, Greensboro'.....	Mitigated to \$25.
John Reese.....	do.	do.	do.....	do.....	\$50.....	do.....	Do.
Jim. Eaves.....	Colored.	do.	Carrying deadly weapons.....	do.....	2 calendar months.....	Mil. tribunal, Chester.....	
H. J. Lang.....	White	do.	Selling liquor without license to soldiers.	do.....	\$50.....	Post Court, Charleston.....	
James Walsh.....	do.	do.	do.....	do.....	\$100 and 1 month.....	do.....	
Isaac N. Clark.....	do.	do.	Carrying deadly weapons.....	do.....	do.....	Mil. tribunal, Fayetteville.....	Partially remitted.
P. H. Doerzaph.....	do.	do.	Selling liquor without license.....	do.....	\$100.....	Post court, Charleston.....	
Henry Weeks.....	Colored.	do.	Larceny.....	do.....	Costs and 2 months.....	Provost court, Aikin.....	
Billy Kitchen.....	do.	do.	do.....	do.....	do.....	do.....	Remitted.
J. F. Bulps.....	White	do.	Selling liquor without license.....	do.....	\$300, or 6 months.....	Mil. tribunal, Wilmington.....	
Richard Cortjolan.....	do.	do.	do.....	do.....	do.....	do.....	Mitigated to \$100, or 2 months in each case.
Nick Brewer.....	do.	do.	do.....	do.....	do.....	do.....	
John Haar.....	do.	do.	do.....	do.....	do.....	do.....	
Cornelius Miller.....	do.	do.	do.....	do.....	2 weeks.....	Post court, Charleston.....	
P. Claffey.....	do.	do.	do.....	do.....	\$50.....	do.....	
John H. Thee.....	do.	do.	do.....	do.....	\$50.....	do.....	
John M. Hyatt.....	do.	do.	Selling liquor to soldiers.....	do.....	\$100.....	do.....	Remitted.
Alonzo, J. Stowe.....	do.	do.	do.....	do.....	\$100, or 30 days.....	Post court, Newbern.....	
Wm. H. Garland, jr.....	do.	do.	Assault and intent to kill.....	do.....	\$25, or 2 months.....	Provost court, Sumter.....	
Alonzo G. Murphy.....	do.	do.	Selling liquor to soldiers.....	Not guilty.....	do.....	Post court, Newbern.....	Released.
Jas. A. Winbourn.....	do.	do.	Carrying deadly weapons.....	do.....	do.....	Mil. tribunal, Greensboro'.....	Do.
Phillis Bremson, alias Mary Bremson, alias Maggie Branganan.	do.	do.	Larceny.....	Guilty.....	2 months.....	Provost court, Sumter.....	
John Hunt.....	do.	do.	Resisting revenue officer.....	do.....	\$400 and 1 year.....	Mil. tribunal, Charlotte.....	Both mitigated to \$100, or 60 days.
Alfred Jones.....	do.	do.	do.....	do.....	do.....	do.....	
Wm. B. Williams.....	do.	do.	Contempt of prov. court.....	do.....	\$10, or 10 days.....	Provost Court, Aikin.....	Disapproved.
Wm. J. Verdier.....	do.	do.	Carrying concealed weapons with intent to kill.	do.....	2 years.....	Mil. tribunal, Hilton Head.....	Commuted to \$300, or 6 months.
Edward Murray.....	Colored.	do.	Selling liquor to soldiers.....	do.....	\$50, or 2 months.....	Mil. tribunal, Columbia.....	
H. D. McMillan.....	White	do.	Selling liquor without license.....	do.....	\$100, or 4 months.....	do.....	
Jim. Harrison.....	do.	do.	Riot.....	Not guilty.....	do.....	Provost court, Aikin.....	
Gus. Harrison.....	do.	do.	do.....	Guilty.....	Costs and 6 months.....	do.....	Fort Macon.
Peter Harrison.....	do.	do.	do.....	do.....	do.....	do.....	Do.
Abbey Harrison.....	do.	do.	do.....	do.....	do.....	do.....	Commuted to \$50 and 3 months.
Edy Harrison, alias Holloway.	do.	do.	do.....	do.....	do.....	do.....	
Caleb Chamberlain.....	do.	do.	Burglary.....	do.....	9 years.....	do.....	Fort Macon.
Henry McCord.....	do.	do.	do.....	do.....	do.....	do.....	Do.
John McCord.....	do.	do.	do.....	do.....	do.....	do.....	Do.

Henry Rankin	Colored	do	Assault and battery	do	Costs and 10 day	do	Do.
Gilbert Lanham	White	do	do	do	\$41, or 60 days	do	
Wm. H. Ramsay	do	do	do	do	\$14, or 40 days	do	
Joseph Tavel	do	do	do	do	\$59 or 60 days	do	
Andrew Jackson	White	do	do	do	\$3 or 15 days	do	
Caroline Morris	Colored	do	do	do	Costs and 30 days	do	Disapproved.
Dilsey Cheatham	do	do	Larceny	do	do	do	Released.
Gns. Dobe	Colored	Citizen	do	Not guilty	Half costs and 1 year	do	Fort Macon.
Chandler Lanham	do	do	do	Guilty	do	do	Released.
Bill Bawley	do	do	Assault and battery	Not guilty	do	Military tribunal, Darlington	
— Rosanna	do	do	do	Guilty	3 months	do	
Edward Sims	White	do	Carrying deadly weapons	do	\$25 or 20 days	Military tribunal, Unionsville	
Richard Allen	do	do	Selling liquor to soldiers and without license	do	\$100 or 4 months	Military tribunal, Columbia	
J. E. Cummings	do	do	Assault and intent to kill	do	\$161 or 6 months	Provost court, Aiken	
Sophraina Brown	do	do	Assault and battery	do	2 months	Provost court, Sumter	
Ben. Cain	White	Citizen	Larceny	do	6 months	do	Fort Macon.
Isham Wright alias Mellet	do	do	do	do	6 months	Provost court, Sumter	Fort Macon.
George Spencer	White	do	do	do	10 months	do	Do
Chas. Dawson	do	do	do	do	do	do	Do.
Edward Sanders	do	do	do	do	1 year	do	Do.
Andy McClen	Colored	do	Perjury	do	2 months	Post court, Chester	Disappeared.
Benj. Smith	do	do	Selling liquor to soldiers	do	60 days	Mil. tribunal, Fayetteville	Committed to \$50.
Peter Walsh	White	do	Selling liquor to soldiers without license	do	\$100	Military tribunal, Charleston	
Nelson Breek	Colored	do	Carrying deadly weapons	do	\$20 or 1 month	Mil. tribunal, Georgetown	Disapproved.
Wm. Johnson	do	do	1. Resisting arrest by military authority	do	3 months and \$100	Military tribunal, Charlotte	Disapproved.
			2. Carrying deadly weapons	do			
			3. Organizing armed bands	Not guilty			
Robert Helms	do	do	Resisting arrest	do		Military tribunal, Charlotte	Released.
Henry Presson	do	do	do	do	\$12 or 15 days	do	Disapproved.
H. D. Austin	White	do	do	do	\$75 or 2 months	do	Do.
F. M. Stinson	do	do	do	do	\$50 or 6 weeks	do	Do.
B. Winslow Stinson	do	do	do	do	\$15 or 10 days	do	Do.
Dempsey Hazler	do	do	do	do	\$30 or 1 month	do	Do.
Peter Linker	Colored	do	do	do	\$20 or 20 days	do	Do.
Eli H. Hinson	White	do	do	Not guilty	do	do	Released.
Isam Wilson alias Chapman	Colored	do	Larceny	Guilty	\$50 or 3 months	Provost court, Darlington	Mitigated to \$50 or 2 months.
Chris. Volmers	White	do	Selling liquor without license	do	\$50	Military tribunal, Charleston	
Mack Bower	Colored	do	Carrying deadly weapons	do	\$10	Military tribunal, Plymouth	
W. D. Staton	White	do	Selling liquor to soldiers	do	\$50 or 2 months	Military tribunal, Goldsboro	
Warren Colclough	Colored	do	Malicious trespass	do	4 months	Provost court, Sumter	Committed to \$50 and 2 months.
O. Hubbs	do	do	Selling liquor without license	do	\$50	Provost court, Newbern	} Committed to \$50 or 2 months.
Samuel Parrott	do	do	do	do	\$50	do	
John Shiver	do	do	do	do	30 days	do	
Wm. Johnson	do	do	do	do	30 days	do	
Wm. Romain	White	do	do	do	\$100	do	Committed to \$50 or 2 months.
Peter Weeks alias Peter Darall	Colored	do	do	do	\$150 and 30 days	Provost court, Aiken	

## N.—List of persons remaining in confinement in the second military district. &amp;c.—Continued.

Name.	White or colored.	Citizen or soldier.	Offence charged.	Finding.	Sentence.	By what court.	Remarks.
Sampson Sellers....	White	Citizen	Assault and battery.....	Guilty.....	\$200 or 7 months.....	Provost court, Aiken.....	
James Boddie.....	do.	do.	Malicious trespass.....	do.	\$18 or 3 days.....	do	
Henry K. W. Flin.....	do.	do.	Carrying deadly weapons.....	do.	3 months or \$75.....	Military tribunal, Darlington	
Daniel Black.....	do.	do.	do.	do.	\$25 or 20 days.....	Military tribunal, Unionville	Disapproved.
Matt. Span.....	do.	do.	Assault and battery.....	do.	\$15 or 6 weeks.....	Provost court, Sumter.....	
Lazarus Morris, jr.....	do.	do.	Carrying deadly weapons.....	do.	\$25 or 2 months.....	Military tribunal, Darlington	
Calvin D. McKeever.....	do.	do.	do.	do.	\$100 or 4 months.....	Mil. tribunal, Fayetteville.....	
R. Pickens Holloway.....	do.	do.	Assault and battery.....	do.	\$118 or 4 months.....	Provost court, Aiken.....	
J. E. Cummings.....	do.	do.	Assault with deadly weapon.....	do.	\$61 or 2 months.....	do	} Commuted to costs and 1 year at Fort Macon.
Wm. Corley, sr.....	do.	do.	Larceny.....	do.	Costs and 2 years.....	do	
Watson Hall.....	do.	do.	Selling liquor without license.....	do.	\$100 or 2 months.....	Mil. tribunal, Wilmington.....	
J. H. Hines.....	do.	do.	do.	do.	do	do	
David Hazel.....	do.	do.	1. Larceny.....	do.	} Costs and 1 year.....	Provost court, Aiken.....	Mitigated to costs and 3 months.
			2. Malicious trespass.....	Not guilty.....			
Julius Gibson.....	Colored	do.	Larceny.....	Guilty.....	3 months.....	Military tribunal, Darlington	
Nick Bremer.....	White	do.	Selling liquor without license.....	do.	\$100 or 2 months.....	Mil. tribunal, Wilmington.....	
J. H. Hines.....	do.	do.	do.	do.	do	do	
Chas. W. Murphy.....	do.	do.	Carrying deadly weapons.....	do.	\$75 or 1 month.....	do	
John Luetze.....	do.	do.	Selling liquor without license.....	do.	\$100.....	Military tribunal, Charlotte.....	
Tom Bacot.....	Colored	do.	Procuring liquor for soldiers.....	do.	\$50 or 2 months.....	Military tribunal, Darlington	
John Spraight.....	do.	do.	Carrying deadly weapons.....	do.	1 month.....	Military tribunal, Raleigh.....	Remitted.
Ed. Mundy.....	do.	do.	Larceny.....	do.	Costs and 15 days.....	Provost court, Aiken.....	
Henry Sullivan.....	White	do.	do.	do.	Costs and 10 days.....	do	
Marion McClellus.....	do.	do.	Assault and battery.....	do.	\$15 or 20 days.....	do	
Daniel Holloway.....	do.	do.	do.	do.	do	do	
Wm. Lewis.....	do.	do.	Larceny.....	do.	Costs and 1 month.....	do	
Shultz Grafton.....	Colored	do.	Burglary.....	do.	2 years.....	do	Mitigated to 3 months.
Fred'k Hummelrich.....	White	do.	1. Selling liquor to soldiers.....	do.	} \$100.....	Military tribunal, Charleston	
			2. Selling liquor without license.....	Not guilty.....			
C. H. Eberhardt.....	do.	do.	Selling liquor without license.....	Guilty.....	\$50.....	do	
John H. Theo.....	do.	do.	do.	do.	\$50.....	do	
G. F. Morris.....	do.	do.	do.	do.	\$100.....	Mil. tribunal, Fayetteville.....	
Marcus Moses.....	do.	do.	Furnishing liquor to soldiers.....	Not guilty.....		Mil. tribunal, Georgetown.....	Released.
Archibald Walker.....	Colored	do.	Selling liquor without license.....	Guilty.....	\$100 or 1 month.....	Mil. tribunal, Wilmington.....	
Henry Watson.....	White	do.	False imprisonment.....	do.	\$20 or 20 days.....	Provost court, Aiken.....	
Henry A. Forek.....	do.	do.	Selling liquor without license.....	do.	\$50.....	Military tribunal, Charleston	
John Hargrave.....	do.	do.	Selling liquor without license to soldiers.....	do.	\$50.....	Military tribunal, Charleston	
George Norton.....	do.	do.	Larceny.....	do.	6 months.....	Provost court, Sumter.....	
Richard Potts.....	do.	do.	do.	do.	5 weeks.....	do	
Milley Foxworth.....	do.	do.	do.	do.	do	do	
Marla Brooks.....	do.	do.	do.	do.	Costs and 1 month.....	Provost court, Aiken.....	
John C. Olsen.....	do.	do.	Selling liquor without license.....	do.	\$50.....	Military tribunal, Charleston	

Stephen Marshall.....	Colored.....	do.....	Larceny.....	do.....	Costs and 15 days.....	Provost court, Aiken.....	Mitigated to 6 months in Columbi'a Penitentiary.
David Garrett.....	do.....	do.....	Burglary.....	do.....	2 years.....	do.....	
Frederick K. Wright.....	do.....	do.....	Larceny.....	do.....	3 months.....	Provost court, Monk's Corner.....	Disapproved.
Wm. Ross.....	do.....	do.....	Assault and battery.....	do.....	Costs and 2 months.....	do.....	
Sam. Brown.....	do.....	do.....	Larceny.....	do.....	Costs and 20 days.....	do.....	Disapproved.
John Humphries.....	White.....	do.....	Assault and battery.....	do.....	\$32, or 20 days.....	Provost court, Aiken.....	
Joseph Dothago.....	do.....	do.....	Selling liquor without license.....	do.....	\$50.....	Mil. tribunal, Charleston.....	Fort Macon.
Anthony Johnson.....	do.....	do.....	do.....	do.....	\$50.....	do.....	
Tony Case.....	do.....	do.....	Larceny.....	do.....	6 months.....	Provost court, Sumter.....	Fort Macon.
Wm. Mills.....	do.....	do.....	Furnishing liquor to soldiers.....	do.....	\$50.....	Military tribunal, Raleigh.....	
Silas Holloway.....	Colored.....	do.....	Larceny; malicious trespass.....	do.....	\$48 and 20 days.....	Provost court, Aiken.....	Disapproved.
George Noble.....	do.....	do.....	do.....	do.....	do.....	do.....	
Luck Adams.....	do.....	do.....	do.....	do.....	do.....	do.....	Disapproved.
Wm. B. Boyd.....	White.....	do.....	Carrying deadly weapons.....	do.....	\$15.....	Mil. tribunal, Laurensville.....	
G. N. Nelson.....	do.....	do.....	do.....	do.....	\$25 and 1 month.....	Military tribunal, Raleigh.....	Disapproved.
James Brooks.....	Colored.....	do.....	do.....	do.....	1 month.....	Mil. tribunal, Georgetown.....	
Anny Lanham.....	do.....	do.....	Larceny.....	do.....	Costs and 1 month.....	Provost court, Aiken.....	Disapproved.
Thos. Dowling.....	do.....	Citizen.....	do.....	do.....	Costs and 2 months.....	do.....	
Wade Laphart.....	do.....	do.....	do.....	do.....	Costs and 10 days.....	do.....	Disapproved.
Tom Hunter.....	White.....	do.....	do.....	do.....	6 months.....	Provost court, Darlington.....	
Marshall Mitchell.....	do.....	do.....	do.....	do.....	30 days.....	Provost court, Aiken.....	Disapproved.
Brock, alias Ephram Thames.....	do.....	do.....	Assault and battery.....	do.....	\$35, or 2 months.....	Provost court, Darlington.....	
Simon Holmes.....	do.....	do.....	Aiding larceny.....	do.....	3 years.....	Provost court, Aiken.....	Disapproved.
Aaron.....	Colored.....	do.....	Larceny.....	do.....	4 months.....	Provost court, Darlington.....	
Joe Harroll.....	do.....	do.....	do.....	do.....	6 months.....	do.....	Disapproved.
Haywood Bell.....	White.....	do.....	Grand larceny.....	do.....	2 years.....	do.....	
Hanibal Williams.....	Colored.....	do.....	Larceny; malicious trespass.....	do.....	Costs and 1 month.....	Provost court, Aiken.....	Fort Macon.
Richard Lewis.....	do.....	do.....	Larceny.....	do.....	One-half costs and 2 months.....	do.....	
Nathan Clark.....	do.....	do.....	do.....	do.....	do.....	do.....	Fort Macon.
Wm. Printh.....	White.....	do.....	Selling liquor to soldiers.....	do.....	\$100, or 2 months.....	Mil. tribunal, Goldsboro'.....	
Bram Washington.....	Colored.....	do.....	Carrying deadly weapons; stealing.....	do.....	1 year.....	Provost court, Hilton Head.....	Fort Macon.
Sam Perry.....	do.....	do.....	do.....	do.....	do.....	do.....	
Frederick Maxfield, alias Bois Huff.....	do.....	do.....	Compound larceny; larceny.....	do.....	2 years.....	Provost c't, Monck's Corner.....	Mitigated to 1 year at Fort Macon.
M. C. Wagner.....	White.....	do.....	Selling liquor to soldiers.....	do.....	\$121, or 2 months.....	Mil. tribunal, Goldsboro'.....	
Henry Reede.....	do.....	do.....	do.....	do.....	\$100, or 1 month.....	Mil. tribunal, Wilmington.....	Disapproved.
Matilda.....	Colored.....	do.....	Assault and battery.....	do.....	\$28, or two weeks.....	Provost court, Darlington.....	
Isaac Cyrus.....	do.....	Citizen.....	Larceny.....	do.....	6 months.....	do.....	Do.
Harry.....	do.....	do.....	do.....	do.....	do.....	do.....	
Wm. A. Walker.....	White.....	do.....	Giving challenge to fight due's; carrying deadly weapons.....	do.....	\$100, or 3 months.....	Provost court, Aiken.....	Mitigated to 1 year at Fort Macon.
John S. McIntosh.....	do.....	do.....	Selling liquor to soldiers.....	do.....	\$100, or 2 months.....	Military tribunal, Columbia.....	
John H. Bryn t.....	Colored.....	do.....	Carrying deadly weapons.....	do.....	\$25, or 1 month.....	do.....	Mitigated to 1 year at Fort Macon.
Dryden Padgett.....	White.....	do.....	Assault and intent to kill; carrying deadly weapons.....	do.....	8 years.....	Provost court, Aiken.....	
John S. Hewlett.....	do.....	do.....	False imprisonment; assault and battery.....	do.....	\$30, or 40 days.....	do.....	Released.
James Gill.....	do.....	do.....	Assault and battery.....	Not guilty.....	do.....	do.....	

## N.—List of persons remaining in confinement in the second military district, &amp;c.—Continued.

Name.	White or colored.	Citizen or soldier.	Offence charged.	Finding.	Sentence.	By what court.	Remarks.
Turpin Gill .....	White ..	Citizen ..	False imprisonment; assault and battery.	Guilty .....	\$20, or 30 days .....	Provost court, Aiken .....	
Chas. B. Ray .....	do .....	do .....	Larceny; malicious trespass ..	do .....	\$51, or 26 months .....	do .....	Mitigated to 1 year confinement at Fort Macon.
James Crawley, alias John Saunders.	do .....	do .....	Larceny .....	do .....	2 months .....	do .....	
Eaton Mills .....	Colored ..	do .....	Carrying deadly weapons; assault and intent to kill.	do .....	2 years .....	Mil. tribunal, Goldsboro' ..	Mitigated to 6 months at Fort Macon.
Wm. Alston .....	White ..	do .....	Assault and battery .....	do .....	1 year .....	Provost court, Beaufort ..	Mitigated to 3 months.
N. O'Brien .....	do .....	do .....	Selling liquor to soldiers .....	do .....	\$100, or 2 months .....	Mil. tribunal, Wilmington ..	
Martin Bohling .....	do .....	do .....	Carrying deadly weapons .....	do .....	\$25, or 15 days .....	do .....	
S. Blossom .....	do .....	do .....	Selling liquor to soldiers .....	do .....	\$100, or 2 months .....	do .....	
Eliza Haywood .....	Colored ..	do .....	do .....	do .....	do .....	Mil. tribunal, Goldsboro, ..	
John Butler, sr .....	White ..	Citizen ..	Threatening to prevent voting.	Not guilty ..	do .....	Provost court, Wilmington ..	Released.
Jack Rivers .....	do .....	do .....	Burglary .....	Guilty .....	1 year .....	Provost court, Beaufort ..	Fort Macon.
Walley Small .....	Colored ..	do .....	Larceny .....	do .....	30 days .....	Provost court, Sea Islands ..	
Solomon Walls .....	White ..	do .....	Carrying deadly weapons .....	do .....	\$75, or 2 months .....	Mil. tribunal, Laurensville ..	
Adam Kennedy .....	Colored ..	do .....	Threatening to prevent voting.	do .....	3 months .....	Military tribunal, Chester ..	Disapproved.
Sam'l Taylor .....	do .....	do .....	do .....	do .....	4 months .....	do .....	Do.
Pompey Coaxen .....	do .....	do .....	Carrying deadly weapons ..	Not guilty ..	do .....	Provost court, Beaufort ..	Released.
Harriet Davis .....	do .....	do .....	Theft .....	Guilty .....	50 cents, or 2 days .....	do .....	
Rebecca Davis .....	do .....	do .....	do .....	do .....	do .....	do .....	
Amelia Dawson .....	do .....	do .....	do .....	do .....	do .....	do .....	
Bartley Satterwhite ..	do .....	Citizen ..	Selling liquor to soldiers .....	do .....	\$50 .....	Mil. tribunal, Laurensville ..	
Wm. Jefferson .....	White ..	do .....	Malicious mischief .....	do .....	\$10 .....	Provost court, Beaufort ..	
Peter Blunt .....	do .....	do .....	Selling liquor to soldiers .....	do .....	\$75, or 2 months .....	Military tribunal, Raleigh ..	
John Brown .....	do .....	do .....	Carrying deadly weapons .....	do .....	\$20 .....	Mil. tribunal, Laurensville ..	
Winfield Brown .....	do .....	do .....	do .....	do .....	\$25 .....	do .....	
Thos. M. Lewis .....	do .....	do .....	do .....	do .....	\$100, or 2 months .....	Mil. tribunal, Goldsboro' ..	
Henry S. Spencer .....	do .....	do .....	Threatening to prevent voting.	Not guilty ..	do .....	Mil. tribunal, Newbern .....	Released.
Joseph B. Gills, jr ..	do .....	do .....	do .....	do .....	do .....	do .....	Do.
Michael Brennan .....	do .....	do .....	Carrying deadly weapons ..	Guilty .....	\$25, or 1 month .....	Military tribunal, Columbia ..	
Patrick McDavid .....	do .....	do .....	do .....	do .....	\$20, or 1 month .....	Mil. tribunal, Laurensville ..	Fine mitigated to \$10.
A. C. Avery .....	do .....	do .....	Keeping whiskey at polls .....	Not guilty ..	do .....	Mil. tribunal, Morgantown ..	Released.
Wm. Hordesty .....	do .....	do .....	Carrying deadly weapons .....	Guilty .....	\$25 .....	Mil. tribunal, Fort Macon ..	Remitted.
Cicero W. Bell .....	do .....	do .....	do .....	do .....	\$20 .....	do .....	Do.
Sampson Dickenson ..	Colored ..	do .....	Larceny .....	Not guilty ..	do .....	Provost court, Aiken .....	Released.
Jesse Dickenson .....	do .....	do .....	do .....	Guilty .....	Costs and 1 month .....	do .....	
Richard S. Dunlap ..	White ..	do .....	Threatening voters .....	Not guilty ..	do .....	Mil. tribunal, Laurensville ..	Released.
Jerry Campbell .....	Colored ..	do .....	Carrying deadly weapons .....	Guilty .....	\$50, or 10 days .....	do .....	
Thomas Austin .....	do .....	do .....	Selling liquor to soldiers .....	do .....	\$50, or 30 days .....	Military tribunal, Raleigh ..	
Thomas M. Lewis ..	White ..	do .....	Carrying deadly weapons .....	do .....	\$100, or 2 months .....	Mil. tribunal, Goldsboro' ..	

Herman Von Harten	do	do	Selling liquor without license	do	\$390, or 1 year	Provost court, Beaufort	Mitigated to 1 month or \$25.
John Haney	do	do	Threatening voters	Not guilty		Mil. tribunal, Morgantown	Released.
Wanney Hamilton	do	do	Malicious trespass	do		Provost court, Beaufort	Do.
Simon King	do	do	do	do		do	Do.
Henry Fraser	do	do	do	do		do	Do.
Fanny Brown	do	do	Larceny	Guilty	3 months	do	
Fred'k Robinson	do	Citizen	do	do	2 months	do	Judgment suspended.
John Simmons	do	do	Selling liquor to soldiers	do	\$50, or 1 month	Mil. tribunal, Laurensville	
M. M. Wilson	do	do	Assault and battery	do	\$50, or 30 days	Mil. tribunal, Morgantown	
Philip Burns	do	do	do	Not guilty		do	
Andrew Bonds	do	do	Carrying deadly weapons	Guilty	\$50, or 2 months	Mil. tribunal, Laurensville	
B. F. Jones, jr.	do	do	do	do		do	
Edward O'Kiefe	do	do	do	do	3 months	Military tribunal, Newbern	
Wm. R. Orint	do	do	do	do	\$50, or 1 month	Military tribunal, Goldsboro'	
Joseph Butler	do	do	Threatening voters	Not guilty		Provost court, Wilmington	Released.
Wm. J. Leigle	do	do	do	do		do	Do.
S. L. Gore	do	do	do	do		do	Do.
Joshua Stuart	do	do	Assault and battery	Guilty	\$75, or 30 days	Military tribunal, Morgantown	Do.
Robert Robinson	do	do	Assault and intent to kill	do	6 months	Provost court, Beaufort	
Nicholas Schroeder	do	do	Selling liquor to soldiers	do	\$75, or 2 months	Military tribunal, Charleston	
Beaufort Goodman	do	do	Carrying deadly weapons	do	\$10	Mil. tribunal, Laurensville	
Albert Kew	Colored	do	Burglary and larceny	do	1 year	Provost court, Hilton Head	Fort Macon.
James Ormsly	White	do	Assault and battery	do	\$25 and costs	Provost court, Wilmington	
John B. Ganse	do	do	Assault with intent to kill	do	\$20 and costs	do	
Samuel Hughes	do	do	do	do	do	do	
Franklin Norris	do	do	do	do	do	do	
March Ganse	do	do	do	Not guilty		do	Released.
Isaac Simmons	do	do	Obtaining money under false pretences	Guilty	\$25 and 8 months	Provost court, Beaufort	Mitigated to \$25 or 6 months.
C. R. Franklin	do	do	Threatening voters	Not guilty		Mil. tribunal, Laurensville	Released.
F. M. Hulth	do	do	do	do		do	Do.
Isaac Bryan	Colored	do	Assault and battery	Guilty	\$15 and costs or 15 days	Provost court, Oakley	
Sanford W. Barker	White	do	do	do	\$50 and costs	do	
M. Beilmann	do	do	Selling liquor to soldiers	Not guilty		Military tribunal, Charleston	Released.
E. R. Hert	do	do	do	Guilty	\$75, or 2 months	do	
J. C. H. Harbers	do	do	do	do	\$85, or 2 months	do	
A. W. McDavid	do	do	Assault and battery	do	\$20, or 1 month	Mil. tribunal, Laurensville	
James Arnold	do	do	do	do	\$10, or 15 days	do	
N. A. McDavid	do	do	do	do	do	do	
Patrick H. McDavid	do	do	do	do	\$35, or 2 months	do	
Peter Murphy	do	do	Unlawful search of house	do	\$15 and costs	Provost court, Oakley	
James Car, alias Chisolew	do	do	Assault with deadly weapon	do	\$13 and costs	Provost court, Beaufort	
Luisa Allen	do	do	Assault and battery	do	\$10 and 3 months	Provost court, Beaufort	
Ernst Kline	White	Citizen	Selling liquor to soldiers	do	\$75	Mil. tribunal, Charleston	
J. W. Bryson	do	do	Carrying deadly weapons	do	\$10, or 2 weeks	Mil. tribunal, Laurensville	
Joseph W. E. Tatten	do	do	do	do	\$50, or 30 days	Mil. tribunal, Goldsboro'	Remitted.
Stephen Barnes	do	do	do	do	\$25, or 30 days	Mil. tribunal, Goldsboro'	Do.
Syke Captain	do	do	1. Assault and battery	do	\$20 and six months	Provost court, Beaufort	Judgment suspended.
			2. Larceny	Not guilty			
John W. Landers	do	do	Carrying deadly weapons	do		Mil. tribunal, Columbia	Released.



## N.—List of persons remaining in confinement in the second military district, &amp;c.—Continued.

Name.	White or colored.	Citizen or soldier.	Offence charged.	Finding.	Sentence.	By what court.	Remarks.
Sylvan's F. Burkhead	White	Citizen	1. Assault with intent to kill. 2. Attempt to bribe a non-commissioned officer.	Guilty	7 years	Military commission	Fort Macon.
Pierce Ward	Colored	do	1. Riotous & disorderly conduct 2. Carrying deadly weapons	do Not guilty.	30 days	do	
Levi Wilson	do	do	Carrying deadly weapon	Guilty	7 days	do	
Joseph Townsend	do	do	Assault and intent to kill	do	3 months	do	
Edly Johnson	do	do	1. Riotous conduct 2. False assumption of authority	do do	2 months	do	
Wm. Z. Wingate	White	do	Assault and battery	do	\$25 and 30 days	do	
James Garrison	do	do	Assault and intent to kill	do	2 years	do	Fort Macon.
Owen Daly	do	do	Assault and battery	do	6 months	do	} Unexecuted portion of sentence remitted 3 months afterward.
Charles Radcliff	do	do	do	do	do	do	
James Tonby	do	do	Receiving stolen goods	Not guilty	do	do	Released.
John James	do	do	1. Robbery 2. Receiving stolen goods	do Guilty	30 days	do	
W. T. McNelly	do	do	Refusing to grant passage on account of color.	do	\$250	do	
Alvan Jenkins	do	do	1. Riotous conduct 2. Assault and battery	Not guilty Guilty	\$25 and 1 month	do	
Wm. Dunning	do	do	1. Riotous conduct 2. Assault and battery	Not guilty Guilty	\$15 and 2 months	do	
James M. Early	do	do	1. Riotous conduct 2. Assault and battery	do do	\$25 and 2 months	do	
Arnold <i>alias</i> Dick Cook	do	do	1. Riotous conduct 2. Assault and battery	do do	\$25 and 2 months	do	
John R. Early	do	do	1. Riotous conduct 2. Assault and battery	do do	\$25 and 2 months	do	
Andrew J. Dunning	do	do	1. Riotous conduct 2. Assault and battery	do do	\$25 and 1 month	do	
Wiley Dunning	do	do	1. Riotous conduct 2. Assault and battery	Not guilty do	do	do	Released.
John Rice	do	do	1. Riotous conduct 2. Assault and battery	do do	do	do	Do.
Wm. C. <i>alias</i> Cherry Dunning	do	do	1. Riotous conduct 2. Assault and battery	do do	do	do	Do.
George H. Mitchell	do	do	1. Riotous conduct 2. Assault and battery	do Guilty	\$75 and 3 months	do	
Henry Sanders	do	do	1. Riotous conduct 2. Assault and battery	Not guilty Guilty	\$20 and 1 month	do	
Samuel Lieble	do	do	1. Assault and intent to kill 2. Carrying deadly weapons	do do	5 years	do	} Mitigated to 3 years at Fort Macon, and Dec. 16, 1867, unexecuted portion remitted.
John Green	Colored	do	Assault and intent to kill	do	3 years	do	

Wm. Haynes	do.	do.	1. Aiding desertion	Not guilty	do.	Released.
Chambers	do.	do.	2. Receiving stolen property	do.	do.	Released.
Peter Williams	do.	do.	Murder	do.	do.	Released.
			1. Larceny	Guilty	1 year	Mitigated to 3 months.
			2. Burglary and larceny	do.	do.	Mitigated to 3 months.
Kitt Lingleton	do.	do.	Murder	Not guilty	do.	Released.
W. M. A. Jennings	White	do.	1. Robbery	Guilty	4 years	Fort Macon.
			2. Carrying concealed weapons	do.	do.	Fort Macon.
May James	Colored	do.	Assault and intent to kill	do.	2 years	Mitigated to 6 months.
Wm. J. Tolar	White	do.	Murder	do.	To be hung	Mitigated to 15 years at Ft. Macon.
Duncan J. McRae	do.	do.	do.	Nolle pros	Entered	do.
Thomas Powers	do.	do.	do.	Guilty	To be hung	do.
Samuel Phillips	do.	do.	do.	Nolle pros	Entered	do.
David Watkins	do.	do.	do.	Guilty	To be hung	do.
John McGuinness	do.	do.	Carrying deadly weapons	do.	5 years	Military tribunal.
Robert Kennedy	do.	do.	Larceny	do.	2 years	Military commission.
Jesse C. Griffith	do.	do.	Misdemeanor in office	Not guilty	do.	Released.
Henderson Cooper	do.	do.	1. Assault and intent to commit rape	Guilty	To be hung	Remanded to civil authority.
			2. Aiding in committing rape	do.	do.	Remanded to civil authority.
Aaron Logan	Colored	do.	1. Misconduct in office	do.	2 years	Mitigated to 6 months.
			2. As't and false imprisonment	Not guilty	do.	Mitigated to 6 months.
James Clark, jr.	White	do.	Assault and battery	do.	do.	Released.
James Clark, jr.	do.	do.	1. Assault and battery	do.	do.	Do.
			2. Carrying deadly weapons	do.	do.	Do.
Robert Harley	do.	do.	1. Assault and battery	do.	do.	Do.
			2. Carrying deadly weapons	do.	do.	Do.
Mack Clark	do.	do.	1. Assault and battery	do.	do.	Do.
			2. Carrying deadly weapons	do.	do.	Do.
Rufus Stoncy	Colored	do.	1. Larceny	do.	do.	Do.
			2. Assault intent to kill	do.	do.	Do.
Everett C. Harris	White	do.	Receiving stolen property	Guilty	1 year	Fort Macon.
John Montgomery						
Everett C. Harris						
George Hayes						
Wm. Kirkland	do.	do.	Conspiracy to obstruct a railroad	Not guilty	do.	Released.
Barney Goodwin						
Perry Reese						
Isaac Sykes						
Isaac Sykes				Guilty	1 year	Fort Macon.
George Hayes				do.	do.	Do.
Phillip Bowen				do.	do.	Do.
Alfred Smalls	do.	do.	Receiving stolen property	Not arrested	do.	Do.
Wm. Kirkland				Guilty	1 year	Do.
Perry Reese				do.	do.	Do.
Holland Frenholm				Not guilty	do.	Released.
Calvin B. Edwards	do.	do.	1. Assault intent to kill	Guilty	5 years	Mitigated to 1 year at Fort Macon.
			2. Attempt to rob	do.	do.	Mitigated to 1 year at Fort Macon.
			3. False imprisonment	do.	do.	Mitigated to 1 year at Fort Macon.



At 50	William White alias Gaskin.	do.	do.	do.	do.	do.	Do.	
	Toby Riggs	White	do.	Assault—intent to kill.	Guilty of assault.	6 months	do.	Fort Macon.
	Wm. Wright Pepper	do.	do.	Assault and battery	Guilty.	\$50, or 30 days.	do.	Released.
	Charles Pollin	Colored	do.	Murder	Not guilty.		do.	
	Dorah Pollin	do.	do.	do.	do.		do.	Do.
	Fanny Pollin	do.	do.	do.	do.		do.	Do.
	Vinns Mitchell.	do.	do.	do.	do.		do.	Do.
	James Wright	do.	do.	do.	do.		do.	Do.
	Doll Pollin.	do.	do.	do.	do.		do.	Do.
	Eliza Mitchell.	do.	do.	do.	do.		do.	Do.
	Bella Dobson.	do.	do.	do.	do.		do.	Do.
	Anna Gilmer	do.	do.	do.	do.		do.	Do.
	Ishmael Moultrie.	do.	Citizen	1. Riot	Guilty.	1 month.	do.	Do.
				2. Assault and battery	Not guilty.			
	James Russell	do.	do.	1. Riot	Guilty.	do.	do.	
				2. Assault and battery	Not guilty.			
	Hasting Ford.	do.	do.	1. Riot	Guilty.	\$10 and 1 month.	do.	
				2. Assault and battery	do.			
	Benjamin Glover.	do.	do.	1. Riot	Guilty.	1 month	do.	
				2. Assault and battery	Not guilty.			
Peter Polite	do.	do.	1. Riot	Guilty.	do.	do.		
			2. Assault and battery	Not guilty.				
Wm. F. Jackson	White	do.	Murder	do.		do.	Released.	
Jacob Green.	Colored.	do.	do.	Guilty.	To be hung	do.	} Mitigated in each case to 10 years at Fort Macon.	
George Taylor.	do.	do.	do.	do.	do.	do.		
John Hunter.	White	Bat. E, 3d art.	Robbery	Guilty of larceny.	5 years.	do.	Columbia penitentiary.	
Peter Holmes	Colored.	Citizen	Murder	Guilty.	To be hung	do.	Disapproved, and prisoner turned over to civil authorities for a new trial.	

*Murder of Miles M. N. Hunnicutt.*

The State *vs.* Decemher Gadsden, Greene Cleveland, jr., John Keith, Jackson Henderson, Nat. Frazier, Captain Deane, Bob. Breckenridge, Mark Adams, Jack Walker, Alex. Bryce, jr.

Pickens district, court of general sessions, before Judge Dawkins.

Counsel for the State, Hon. J. P. Rady, solicitor.

Counsel for accused, General Samuel McGowan, W. K. Easley, esq., Messrs. Norton and Adams.

*Speech of Hon. J. P. Reed.*

GENTLEMEN OF THE JURY: I am not in the habit of making an opening address to the jury, but I do so on the present occasion, not only on account of the great importance and peculiar character of the issue you are called upon to decide, but because of the complex character of the indictment and of the facts to be developed in the course of this investigation.

The case is peculiar in its origin. I expect to show to you that the young men in the vicinity of Oak Grove academy, in this district, had been in the habit of meeting on Saturday evening, in a debating society, for the purpose of discussing questions calculated to improve themselves and interest the surrounding community. That on the evening of the 12th of October, these youths, their parents, and friends, had thus assembled, and that while engaged in their usual exercises, without a suspicion of trouble or difficulty, they were rudely disturbed by curses and denunciations which brought every inmate of the house to his feet in amazement and alarm. That on rushing to the door they discovered a party of negroes, eight or ten in number, apparently greatly infuriated, who were the advance guard of 100, or perhaps 200 more, who were that evening holding a meeting about 200 yards from the Oak Grove academy for the purpose of organizing what is called a Union League. I am not aware that it was known to any member of the debating society that these two meetings were taking place at the same time. That as soon as these young men made their appearance at the door, two or three were seized by the negroes, who were uttering wild exclamations of rage, and thereupon a struggle commenced; on the one hand to arrest the white men, and on the other to defend themselves from the unprovoked and unanticipated attack. That while this brief contest was in progress, a fatal shot was discharged by some one of these negroes, which took fatal effect upon the person of Miles M. N. Hunnicutt, a boy 14 years of age, who had been engaged, perhaps, in the discussions of the evening. He fell; the body was surrounded and almost trampled upon; swords were drawn, weapons displayed, and threats made by enraged negroes, who declared they knew no law but their own might, and that war had begun. That amid this confusion, a negro guard, consisting of 10 or 12 persons, was formed, with a sergeant in command, and despatched in search of a person whom they called Bad Smith; their allegation being that this individual had fired a pistol near their place of meeting, and was, according to the orders given, to be arrested, dead or alive. That the white persons who remained (except the little boys who had made their escape) were arrested, imprisoned in the academy, and their names taken down; but that after being locked up for some time, the brother-in-law of the wounded boy was permitted to go out and remove the

body to the house, which was done, although the life of poor young Huncutt departed in a few minutes thereafter. Meanwhile, the negroes were ordered by their officers not to leave, and the next morning at daylight went to the residence of Mrs. Smith, searched her premises, insulted and assaulted her person, and afterwards passed from house to house, committing enormous depredations. Such are the circumstances of the case.

It is intended to be proven to you that these malefactors consisted of the guard who had been placed around the Union League meeting, and who pursued Robert Smith to the academy, where the difficulty and the murder occurred.

Bryce, the white man, who is charged as a principal, is also charged as an accessory before the fact; and I expect to show that he was present at that meeting at a great distance from his place of residence, the only white man there, and that orders were extended by him or some of the officers in his hearing, to arrest Smith and bring him there dead or alive; at any rate, that he did use words of encouragement, and perhaps the identical language I have used, whereupon the guard went forth and committed the crime for which they stand responsible to God and their country to-day.

It is true that Bryce did not go to the school-house and in person there urge the murderers on to the accomplishment of their deed, and, therefore, if he is not proved a principal in the first or second degree, it certainly will appear that he is an accessory before the fact, and equally responsible and guilty with the others.

Such, gentlemen, are the facts. You have heard the indictment read. It embraces four counts. The first charges all the parties as principals; that is to say, they are all charged with the crime, for in this State there is no distinction in law between principals in the first and second degree. The second charges that December Gadsden fired the pistol, and that all, except Alexander Bryce, were aiding and abetting; and that Bryce, as an accessory before the fact, was counselling, encouraging, provoking, and commanding the commission of a murder. In the third count, it is charged that the pistol was fired by some person unknown, and that these parties, including Bryce, were present aiding and abetting. In the fourth count, it is charged that the pistol was fired by persons unknown to the jurors, and in that count it is also alleged that Bryce was an accessory before the fact to the persons who committed the crime.

These remarks will explain to you the indictment, and I now proceed to refer you to the law which declares a fact not generally known in this county, viz: that when a homicide or a felony is committed of any description, all persons present aiding and abetting are just as guilty in the eye of the law as the individual who inflicts the mortal wound or commits the crime. (The solicitor read from Archibald, Criminal Pleadings in Evidence, and Russel on Crimes.)

In conclusion, gentlemen, I admonish you to try this case upon the evidence alone. Allow no outside influence or opinion or pressure of any character, whether in favor of or against one or more of the prisoners, to sway your judgment. In that jury-box you are to know no man who is on trial; neither his color nor position. You are sworn to decide the case according to the law and evidence, and you are responsible to a tribunal that will test all men if you swerve one iota from the conscientious discharge of this duty.

*Testimony for the prosecution.*

W. J. BROWN (white) sworn.

Was present at Oak Grove academy when Miles M. N. Hunnicutt came to his death on Saturday night, the 12th instant. The debating society had been organized for some weeks. Was present at its organization. On the evening in question the discussion had been going on for an hour and a half or two hours. The audience numbered about 30 persons, men and boys. W. T. Miles was on the floor making a speech. Suddenly there was a confusion of voices outside, accompanied by cursing and swearing; and then I heard the report of a pistol. The shot came from a group of black men, five or six in number. Did not recognize any of them; was looking through a crack. On going out, found 50 or more negroes. There was much uproar and confusion. After a while some negro called for a sergeant. The sergeant answered. Then eight or ten names were called. The negroes were formed in two ranks, and ordered to go after Bob Smith and "bring him dead or alive." They went in the direction of Mrs. Smith's, mother of Bob Smith. After this guard started, some negro ordered every white man to be put back in the school-house; not to let one leave. Among those arrested were W. A. Lay, John Simpson, H. C. Harbin, and myself.

After a while Harbin, who was a brother-in-law of young Hunnicutt, asked leave to go out where he was lying and bring the body in. Soon afterwards Mr. Hunnicutt, the boy's father, arrived, and preparations were made to bleed him, as they thought he had only been struck with a stick or a stone. Mr. Hunnicutt stepped out in the yard and ordered the negroes to leave there; said they had killed his son. They replied, fiercely, if he didn't shut his mouth they would take him too.

The ball took effect on the back of young Hunnicutt's neck. At first we didn't know he had been shot. It was some minutes after the firing of the pistol before any one was allowed to go to him. I recognized several of the prisoners in the crowd after the shot was fired. The moon was shining brightly. It was a few minutes after nine.

H. C. HARBIN (white) sworn:

Was at the academy Saturday evening. The debate was progressing when I heard a noise in the yard, and some persons coming up, saying "Catch him—hold him."

As I rushed out in the yard eight or ten negroes had run up and halted rather in the edge of the yard. Some of them had hold of Tom Fredericks, and I saw one or two take hold of Walter Casey. These two young men were present at the debating society. Miles Hunnicutt, who had gone out, started to run back from the direction of the negroes when the pistol was fired. Saw a colored man fire the pistol; thought he intended to shoot me, but learned afterwards the ball took effect on Miles. The moon was shining brightly, and I saw the man standing with negroes standing all around him. After this pistol shot there was a rush from the direction of the League, and as they came they holloed, "Shoot him—shoot him—knock him down!" Recognized in the crowd John Keith and Jack Walker. Did not recognize them until after the pistol was fired. Did not recognize anybody distinctly just at the moment the pistol was fired, but am certain these men belong to the crowd who first came up. Jackson Henderson came up with a doubled-barrelled gun, and ordered the whites to be tied; said he would hold us responsible, for we knew where Bob Smith was. We were then ordered into the house and kept some time; don't know exactly how long. After a while I went to the door

and asked Jim Keith to let me out to see my brother-in-law. When I came out the others followed me. Some one of the negroes took down our names. Heard a person in the crowd called "sergeant," and was present when the guard was organized. The sergeant seemed to be a prominent man. Do not know what he was sergeant of.

Question. What names of the guard did you hear called?

Answer. John Keith was one and Dick Franklin was another. They were ordered to go and bring Bob Smith back there, dead or alive, and they went off in the direction of Mrs. Widow Smith's, the mother of Bob.

Q. Were the white persons in a crowd by themselves?

A. Yes, sir; we were rather in a crowd to ourselves, and the negroes were in a crowd to themselves.

Q. You saw the pistol drawn?

A. Yes, sir.

Q. In what direction was it fired?

A. Towards the crowd of white persons.

Q. What was its effect?

A. Young Hunnicutt, who was standing about four feet from me, fell on his face. He fell instantly.

Q. How long did he lie there?

A. A good while. They "rowed" around him and went on powerful.

Q. Did you go near the body?

A. I went to it as quick as I could, and spoke to him. It was afterwards that we were put in the house.

Q. Can you repeat any language used by the negroes?

A. Yes, sir; they said "they had the law in their own hands and they were going to use it." I heard one say "they had us under now like we used to have them."

Q. Do you know who used that language?

A. Only by hearing him tell his name; that was Green Cleveland, junior.

Q. Do you recognize any of these prisoners as having been present?

A. I saw John Keith, Jack Walker, and Jackson Henderson.

Q. Were there arms in the possession of the party?

A. I saw some pistols. One of the negroes had a sword. Jackson Henderson had a gun, and I think John Keith had a gun.

Q. Did you see any others?

A. Nat. Frazier was in the party. I don't know whether he had a weapon or not.

Q. How long did young Hunnicutt live?

A. Fifteen or twenty minutes.

Q. How long did you remain there?

A. Until we carried him off.

Q. How far does his father reside from there?

A. About three-quarters of a mile. He was sent for and soon after arrived.

Q. What did he do?

A. He went in and saw the boy, and then came out and told the negroes to "hush, now, and go off." That if there was anything to be said, to say it hereafter, and not while the boy was lying there dead. It seemed to me that the negroes were very furious, and it looked like he was going to be taken up by them.

Cross-examination by W. K. EASLEY esq.:

Q. You say there was a group of blacks standing together when the pistol was fired. Have you any idea of the number of persons?

A. I have not, but should say there were 12 or 15.



Q. You say you recognized Nat. Frazier, John Keith, Jack Walker, and Jackson Henderson. Were these persons in that group at the time of the firing of the pistol?

A. I cannot say. I did not recognize them until after the pistol had been fired. It may have been a minute or two.

Q. You saw young Hunnicutt fall, and went to him. Did you go immediately?

A. Not immediately; after a minute or two.

Q. Did you recognize these parties before or after going to him?

A. I recognized them before I went to him.

Q. At what time was this?

A. Betwixt nine and ten o'clock. I cannot say positively.

Q. Did you hear anything said about Bob Smith?

A. Yes, sir; after the shooting was over I heard some of them ask where Bob Smith was.

Q. Not before the shooting?

A. No, sir.

Q. You heard some voices before you went out?

A. Yes, sir; but could not tell what they were saying.

Q. Did the guard seem to be in search of Bob Smith?

A. No, sir; it did not appear so. They were just cursing and ripping around there generally.

Q. There was some fighting going on in the yard at the time of the shooting?

A. Yes, sir.

Q. Miles Hunnicutt had been in the house with you?

A. Yes, sir.

Q. And he had rushed to where the fighting was going on like all the rest of you?

A. Yes, sir.

Q. Those white persons who were fighting in the yard were persons who had rushed out of the house?

A. Yes, sir.

Q. Do you know who began that difficulty?

A. I do not.

Q. Did you identify any white person in the fight when you came out?

A. I saw young Casey. The negroes were pulling him off down to the left.

Q. How many whites were engaged in the melee?

A. Only two; they had hold of Casey and Fredericks, who were trying to extricate themselves.

Q. You supposed they were fighting?

A. I do not know what they were doing.

Q. You were rushing in the direction where this disturbance was going on.

A. No, sir; that was to the left, and I was bearing to the right towards the other group.

Q. Did the whites seem to be struggling?

A. Yes, sir; I saw Casey jerk loose.

Q. Did you see no blows struck?

A. I saw them hit Casey when he broke loose, but saw no other blows struck.

Q. Did you see Fredericks strike?

A. No, sir; they had him fast.

Q. Did your party have clubs or sticks?

A. Our party? No, sir.

Q. You say you saw guns in the hands of the blacks. How many?

A. I do not remember but two guns. I do not exactly remember how many pistols. In fact, I never counted them.

Q. How many do you suppose there were—more than one?

A. I do not remember in regard to that.

Q. But you saw the one that was fired?

A. Yes, sir; I think I saw more, but cannot be positive as to that.

Q. You saw no pistol in the hands of the prisoners you have recognized, did you?

A. No, sir; I cannot say they had a pistol.

Q. Did the one they call sergeant have a pistol?

A. I do not know.

Q. Do you know the man who fired the pistol?

A. I do not.

Q. Did these persons whom you have recognized have any kind of weapons in their hands?

A. John Keith had a gun, and Jackson Henderson had a double-barrelled gun.

Q. Had Walker and Frazier guns?

A. I cannot say. I do not recollect whether they had weapons. In fact I never thought much about noticing. My impression is that I saw more than one pistol, but it may have been in the hands of the same man who kept passing around.

Re-direct examination:

Q. Were the negroes armed with sticks?

A. Yes, sir; a good many had sticks; some rocks.

Q. I suppose you were all pretty well frightened?

A. Yes, sir, badly scared; all but seven left.

Q. And I presume the seven were anxious to get off?

A. Well, sir, we were talking to the negroes and trying to quiet the thing.

Q. Can you recall any of the remarks you heard them make?

A. They ordered Mr. Hamilton to shut his mouth. I heard one of them tell Hamilton "if he had anything to say, say it damned quick;" but none of them interrupted him. They said Smith had been down to the League and fired a pistol, and they were going to have him dead or alive; that was the general cry.

Q. Was that the reason assigned for their being there—the search for Bob Smith?

A. Yes, sir.

Q. The white men you saw struggling appeared to be trying to get away?

A. Yes, sir; and they left as soon as they got away.

Q. You spoke of fighting; did you mean that it was like ordinary fighting?

A. There was nothing like fighting that I am aware of, except that Casey and Fredericks were defending themselves, and trying to release themselves.

Q. Were there any arms among the whites?

A. If there was a stick or anything else, I don't know it.

Q. Had you any knowledge of this League meeting?

A. I had heard previously there was going to be a League meeting there.

Q. How far was that house from the academy?

A. About 150 or 200 yards.

Cross-examination resumed, by W. K. EASLEY:

Q. Was Bob Smith a member of the debating society?

A. I do not think so. If he was, I do not know it.

Q. Where did he live?

A. About a mile from the school-house.

Q. Had you seen Smith before during that evening?

A. I had not. If Smith was there he did not come in.

Q. Did the negroes say that Bob Smith had fired at them?

A. Not that he fired at them, but that he fired a pistol, and they wanted him dead or alive.

Q. The guard of negroes came up after the firing?

A. Yes, sir.

Q. (By the judge.) How long was it before the large crowd came up?

A. May be two to three minutes—directly after the pistol was fired. I don't think they started until the pistol was fired, for they were running.

Q. (By Mr. Reed.) And what was their cry as they came running up?

A. "Shoot him! Knock him down!"

R. M. LEWIS (white) sworn.

Question. State what you know about this affair; where you were, and how it commenced.

Answer. I was at the Oak Grove academy—out of doors, and did not go into the house at all. I was standing out of doors listening to the debate going on in the house. The first thing that attracted my attention was some eight or ten negroes who came up near the house. I did not know there was a League meeting until I got there. Two or three advanced still closer, then went back, whispered to the others, and all left and went in the direction of the League.

Q. How near did they come, and did they say or do anything?

A. Nothing. They come five or six feet off. The eight or ten were about five yards off. The others approached a little nearer where I was standing, looking through a crack, listening and watching the debate. I remarked to Mr. Davis, who was standing near me, "That must be a committee sent up here from the League to see what we are doing." Shortly after that I heard the report of a gun or pistol, in the direction of the League. Some one remarked "they were shooting pistols down there, and were not allowed to have them; it ought to be reported." In a few moments this man Robert Smith came up to where I was. He seemed to be blowing. I do not know the direction he came, but thought it was from the direction of the League. He appeared to be excited and blowing. The next thing I noticed was a squad of negroes coming up. They came right up, walking rapidly. They said, "Arrest him—take him." Smith was standing by me. I thought one of them had hold of him, and he pushed back towards me. I stepped around out of the way, and that was the last I saw of him.

Q. Did you see a pistol fire; and if so, from what direction?

A. Yes, sir; from this squad of negroes.

Q. Are you perfectly certain you saw the pistol shot come from this squad of men?

A. I am. There were about eight or ten of them standing together.

Q. Did that shot take effect on young Hunnicutt?

A. It did, sir.

Q. Was that the only pistol fired there?

A. Yes, sir.

Q. Did you recognize any of that squad at the time?

A. I did not.

Q. (By the judge.) Are they not neighborhood negroes?

A. Some of them are. I know Nat. Frazier, John Keith, and Jack Walker. The others I did not know at night at all.

Q. Do you now recognize any of the prisoners, except those you have mentioned, as persons you saw there?

A. I do not. I staid there a very short time.

Q. After the pistol was fired, what did you do?

A. I stepped around in the crowd, where there seemed to be a great many negroes. Others had come rushing up.

Q. Did you see any arms?

A. I saw a negro with a double-barrelled shot-gun, saying, "By God, tie him," and making many other threats. I then stepped out of the crowd and went off twenty or thirty yards to a blacksmith's shop. There I saw another group of negroes, and tried to pacify them; told them this thing ought to be stopped. Hearing that the negroes had ordered the white men to be arrested and tied, I walked off towards my father's house.

Q. Did you notice anything peculiar about the negro with the double-barrelled gun?

A. Except that he seemed to have the gun cocked, and was carrying it arms-port. apparently with his finger upon the trigger. I did not know him.

Q. Did you see any clubs?

A. I did not. I remained but a very short time.

Q. Did you recognize any of those at the shop?

A. They were just standing there talking among themselves. I saw a man by the name of John Butler, another by the name of John Reed, who used to belong to John Lawton. Did not recognize any of these prisoners there except those I have named.

Q. Did you hear a pistol fired in the direction of the League before the pistol was fired at the school-house?

A. I heard a shot of some kind in that direction.

Cross-examination by W. K. EASLEY, esq.:

Q. It was after the firing that you heard the orders given about tying?

A. Yes, sir; after the second pistol was fired.

Q. Are you sure you heard distinctly?

A. Yes, sir; I heard them say, "Arrest every white man." They seemed to be infuriated.

Q. You say Bob Smith was standing by you when the negroes came up, and they made a grab at him?

A. Yes, sir. As they did so I made a step back and got away to keep from being struck by some of them.

Q. And the pistol was fired immediately afterwards?

A. Yes, sir.

WM. T. MILLS (white) sworn.

Question. State what you know concerning the occurrences on the evening of the 12th of October.

Answer. I was at the academy. The first thing which attracted my attention was hearing a yell outside the house. Somebody holloed. Then something struck the house like a clunk of rock. I was sitting in the back end of the school-house. The people commenced running out. I could not get out because the door was crowded. Before I got out I saw the flash of a pistol. Then I ran round by the back door to the front of the yard.

Q. Did you see where the flash of the pistol came from?

A. I saw the direction.

Q. Did you see the crowd of persons so that you could tell who they were?

A. No, sir. There were a good many freedmen in the yard, some ten or fifteen, and there were some three or four whom I recognized.

Q. What are their names?

A. I knew John Keith, Jack Walker, and I now recognize Jackson Henderson and Nat. Frazier.

Q. Well, what was going on?

A. They seemed to be very much enraged, and were making threats; said that we had had one war, and there had got to be another, and it might just as well commence now as any other time.

Q. Do you know the name of the person who made this remark?

A. Yes, sir. It was old Green Cleveland.

[COUNSEL.—He is not now on trial.]

Q. What else did you hear?

A. When the other party from the League came rushing up they were crying, "shoot 'em; hew 'em down."

Q. Did you at any time recognize more of these persons?

A. No, sir.

Q. What next?

A. They then arrested us and took down our names; said they were going to hold us responsible for Bob Smith. I asked them what Bob Smith had been doing. They said he had been interfering with them. I said, "You ought to have sent up and let us know and we would have arrested him ourselves." I talked to them a good deal and tried to pacify them, but it did not seem to do much good.

Q. Had you seen Bob Smith?

A. I had not seen him that night.

Q. What next?

A. There was a man in the crowd whom they called president, and he ordered out a guard—a sergeant and ten men—to fetch him, dead or alive, or any other white man who interfered with them. Those were the orders given when they left. They then went off.

Q. How did you finally get clear of them?

A. Some fellow came up and ordered the freedmen back into the League house. Then they went off and left us there, and we made our way home, or rather to Mr. Hunnicutt's.

Q. What was the conduct around the body of the young man?

A. There was a perfect row and tumult.

Q. Did you hear anything said about injuring the body?

A. I heard nothing said about tramping on him.

Q. How long did they remain?

A. I should think about an hour.

Q. Did the guard come back?

A. I cannot say. It seems to me they did come back, but I do not remember.

Q. You recognize no more of these prisoners?

A. No, sir; I do not.

Cross-examination by W. K. EASLEY, esq.:

Q. Greene Cleveland, senior, if I understand you correctly, came up after the shot had been fired?

A. I did not see him there before. The guard came running up directly after the shot from the League house, and after that I saw Greene Cleveland.

Q. You did not see him before the firing of the second pistol, or until the crowd came up?

A. No, sir; I did not.

— HAMILTON (white) sworn.

Question. What do you know of this difficulty?

Answer. I was at the academy, and my attention was drawn to some pretty rough talk in the yard. The first I heard was some one ordering, "Take him!" Heard it several times. Did not pay much attention to it, because I thought some of our own boys were fighting. Just as I walked out I saw to the left a crowd of negroes, ten, or fifteen, or twenty. About that time I saw a pistol fired; saw the flash at least; looked in the direction and saw that the son of Mr. Hummcutt had fallen. When I first went out I believe I saw some of our men engaged in fighting.

Q. Was it fighting or scuffling?

A. Well, it was a contest between our men and the negroes; did not learn who it was.

Q. Did you see where the pistol was fired?

A. Yes, sir; it came from the negroes. No white faces were to be seen in that direction.

Q. Are you certain of this?

A. I am perfectly certain.

Q. Where were the white men?

A. There were but very few in the yard; most of them were around the door, or off to the left.

Q. Did you recognize any of the negroes at the time the pistol was fired?

A. Not at the time the pistol was fired, but very soon afterwards.

Q. Was it after the others came up?

A. Yes; there was a general rush amongst them.

Q. What orders did you hear?

A. The orders were to "Arrest Smith?" "Knock him down!" &c.

Q. Did you see Smith?

A. I saw him when I first went there that night. Did not see him at the house then. I met him and some other person going to the spring to get water. That was some time before the row begun.

Q. Who of these prisoners did you recognize that night?

A. John Keith and Jack Walker are the only two I recollect.

Q. How long after the pistol shot did you recognize these two?

A. I cannot certify to that.

Q. How long did you remain?

A. I remained, with the exception of being gone ten or fifteen minutes, until after the deceased was taken away.

Q. Were you imprisoned there?

A. No, sir; I was gone at that time—gone to take a little boy away who had been scared. I came back immediately after putting him in charge of somebody, and was there when they commenced taking down the names. It was during the time I was gone that the guard was organized. After I came back the guard came back. They did not get Smith.

Q. What did they report?

A. That was the report—that they did not get Smith.

Q. Did you hear them ordered back to the League room?

A. Yes; soon after their return, they were ordered back to the League room. The guard left at that time, but there were some persons standing there when the deceased was taken away.

Q. Do you remember any of the language that was used?

A. Yes, sir; I heard them say they would hold the white men responsible for Smith's getting away.

Q. How many do you suppose you saw there?

A. I should think seventy-five or one hundred—that is, in all I saw that night.

Q. How many do you think were in the first crowd?

A. I suppose about ten or fifteen.

Q. At what time was the first pistol fired?

A. While the first crowd was there. It seemed to me there were ten or twelve standing sort of abreast when the pistol was fired. Others were standing around not so thick.

Cross-examination by W. K. EASLEY, esq.:

Q. Who gave the orders you heard?

A. I cannot tell. The first order I heard—"shoot 'em down"—came from the rear of the party.

Q. Do you know whether the orders were all given by the same person?

A. No, sir; I did not recognize their voices.

Q. How long after the firing was it until you recognized the persons you have identified to-day?

A. I cannot tell you; but it was a very short time.

Q. Was it not after the second crowd had come up from the direction of the League?

A. No, sir, I do not think it was; but I cannot say positively. They did not come up in a crowd; they were coming all the time. I do not know whether I recognized them before or afterwards.

Q. It was a very short time before the second crowd came up?

A. Yes, sir; it looked to me like a general rush; all were coming.

Q. Did you see Bob Smith?

A. Yes; but not in the debating society.

Q. Was he a member of the debating society?

A. Yes, sir.

Q. Did you see him at all?

A. Only going to the spring; did not see him afterwards.

Q. Did you see the beginning of the row outside of the house?

A. No, sir; I do not know who began the fray.

GEORGE KING (white) sworn.

Question. Where were you on the night of the difficulty? and state what you know of it.

Answer. I was at the academy. After we had been there some two hours, and while Mr. Miles was making a speech, I heard a fuss in the yard. There was a confusion of voices. I went out to see what was the matter. When I got to the door I saw fighting going on in the yard. I went out to the corner of the house; saw a pistol fired. At the same instant Miles Hunnicutt was standing about a yard from me. He had been facing the crowd that was advancing. I had just looked away from him when the pistol was discharged. From the manner in which he was shot, he must have turned around.

Q. Who was this advancing party?

A. They were black persons, but how many I don't know. I should say there were a dozen or fifteen.

Q. You were somewhat frightened, I presume?

A. Yes, I was a little frightened, and one in that way is not apt to notice.

Q. How near were they to the young man when they fired?

A. About 12 or 15 feet.

Q. The pistol shot come from that advance party?

A. Yes, sir; I saw the flash of the pistol—the light. Did not recognize any person, but saw he was in that crowd who were advancing.

Q. Was there a white person among them?

A. I saw none; they seemed to be all black.

Q. Did you recognize any of them?

A. Not at that time. After the pistol-firing I went to the other side of the house, and staid some 10 or 15 minutes. When I came back the blacks were taking the names of the whites.

Q. And you recognized none of the prisoners?

A. I recognized some who were there, but none that I see here, as I know of.

Q. What threats did you hear made?

A. I do not know; they were made while I was gone. While I remained I was very much excited, and went off as quick as I could. I went as soon as Hunnicutt was shot.

Q. Did you hear nothing since by the negroes?

A. When I first went out I heard them say "take him;" I did not know who, or for what. That was all. I recognized none of these prisoners that night.

Cross-examination by W. K. EASLEY, esq.:

Q. When you went out you saw white persons struggling?

A. Yes, sir. Mr. Casey was one I saw; I saw him knocked down, or shoved down with a stick.

Q. Were the negroes altogether, or in separate groups?

A. Pretty much altogether.

Q. Was it from the crowd struggling that the pistol was fired?

A. Yes, sir.

Q. You and young Hunnicutt had advanced towards the crowd and then you turned, and after the firing occurred you still thought Hunnicutt facing the crowd?

A. He was facing the crowd, for I was looking at him, and he must have turned before being hit.

Q. You did not see him when he received the ball?

A. No, sir.

Q. When you saw him last he was facing the crowd of blacks?

A. Yes, sir.

Q. But you did not see him turn?

A. No, sir.

WALTER CASEY (white) sworn.

Question. State what you know concerning this affair?

Answer. I was at the academy on the night of the call, standing out of doors at the edge of the academy yard. The first thing I saw was Bob Smith coming up on a slow run from towards where the negroes were holding their meeting, and somebody behind him—negroes, I took them to be—saying, "Here he is; catch him." They run on a short distance to another little house. I heard them say, "We are too slow, but we'll have him, dead or alive." They then run back. Directly I saw a crowd of negroes running right up to the academy door. Two of them run to where I was on the academy door-step, saying, "Take him, damn him; take him." I hit one of them and knocked him back. From that I went to fighting.

Q. Fighting for what?



A. To keep the negroes from taking my brother. I hit any one I could.

Q. Did they hit you themselves?

A. Yes, sir; they knocked me down.

Q. How many were around you?

A. I don't know how many there were taking hold of me, but a good many, some at one time and some at another.

Q. Do you know who knocked you down?

A. I took it to be Nat. Frazier, but am not certain. I thought I would know him if I should see him again.

Q. They were trying then to take your brother, and, defending him, you struck some one?

A. Yes, sir.

Q. What did you strike him with?

A. I struck him with my fist.

Q. What did the negroes then do?

A. They got hold of me for a good bit. They overpowered me, and my father jerked me out of the crowd.

Q. How many negroes came rushing up in that crowd?

A. I think about fifteen or twenty.

Q. Was the pistol fired before or after they had struck you?

A. After they had struck me.

Q. Did you see where it was fired from?

A. Yes, sir.

Q. What sort of men fired it?

A. There was a yellow negro and a black negro came running up and presented the pistol.

Q. How did you know it was a pistol?

A. The flash of it gave me light to see the pistol. I am not certain which of the two—the yellow or the black boy—had the pistol; I took the black fellow to be Jack Walker.

Q. Did you notice how the person was dressed who fired the pistol?

A. No, sir; but he was a low, black negro. At the time, I believed it was Jack Walker.

Q. Does he suit the description better than the others?

A. Well, I think he was the one who came up there with the pistol.

Q. Altogether at that time how many gathered about there?

A. About 15 or 20.

Q. What were they saying as they came up?

A. I do not know; but after the pistol was fired I heard them say, "Fire into them."

Q. How did you get loose?

A. My father jerked me away from them and told me to go home.

Q. Who did they get hold of besides yourself?

A. Tom Fredericks.

Q. And the pistol was fired immediately afterwards?

A. Yes, sir.

Q. After this did another crowd rush up?

A. I did not see but one crowd, but it looked to me that they kept coming up, and it got larger.

Q. Did you see more of these prisoners there whom you recognized?

A. There was many nigger there that I recognized; but I thought that Nat. Frazier knocked me down, but am not certain.

Q. Did you see weapons?

A. I saw four guns; a double-barrelled shot gun, a little shot gun, and two other guns which I took to be Enfield rifles. The one who had the double-barrel shot gun I took to be Fred. Garnett, but do not know that it was.

Q. Had the one who knocked you down a gun?

A. No, sir.

Q. How many pistols did you see?

A. Only the one that was fired.

Q. Did you see other weapons, sticks or clubs?

A. I saw several clubs in the hands of the negroes.

Q. What were the white people doing after they got into the yard?

A. Most of them were trying to get away when I left there; I did not see any white man there but Tom Fredericks.

Q. Did they get hold of you the next day?

A. No, sir.

Cross-examined by W. K. EASLEY, esq:

Q. If I understand you correctly in your direct examination, you were standing outside of the house and saw Bob Smith coming in a slow run from the direction of where the negroes had congregated, and negroes were pursuing him?

A. Yes, sir; somebody was pursuing him and saying, "Here he is, catch him." Smith came up to where I was, and the negroes turned up towards a little house.

Q. Are the house and academy on opposite sides?

A. I don't know. He was in the edge of the academy yard. There is a road leading up to it, and the negroes came running up to the academy, rather to the right of the academy.

Q. The negroes then returned in the direction of the league, then by and by they came up again, and you were standing on the door-step of the academy; they came up near to you?

A. Yes, sir; I was standing on the door-step, my right foot on the floor. My brother was standing on the step also.

Q. Was there any white person with you?

A. Several white persons were about there.

Q. The negroes then said, "Here he is, take him?"

A. Yes, sir.

Q. When they reached out for you and you made a blow and struck one, and a sort of fight began?

A. Yes, sir.

Q. And you continued fighting?

A. Yes, sir.

Q. Until the shot was fired?

A. Yes, sir.

Q. You were in the act of fighting—you had been fighting up to that very instant the pistol was fired?

A. Yes, sir.

Q. The pistol was fired out of the group in which the fighting was going on?

A. The pistol was fired near some people on the right of the door. I saw two negroes come running up when they fired.

Q. Were they in the crowd where the fighting was going on?

A. No, sir; it looked like they came up from the house and ran by to the side of the crowd.

Q. Did they fire immediately on coming up?

A. Yes, sir; just as they made their halt they fired the pistol.

Q. You thought you recognized these persons?

A. I thought that it was Jack Walker.

Q. You knew his person?

A. I knew him by the name of Jack Lowry; another negro came running up with him; don't know who he was.

Q. Were you looking at the party at the time the pistol was fired?

A. Yes, sir. I saw him coming up, present the pistol and fire. Which of the fellows I don't know.

Q. Was the pistol fired immediately?

A. Well, he fired like he was shooting in the crowd; as if he didn't care who he hit.

Q. Did you see a negro with a gun?

A. I saw four guns.

Q. Did you recognize the person?

A. No, sir; I took one to be Fred. Garrett. His hands seemed to be somewhere about the lock and the trigger. As soon as the pistol was fired it looked like they gave back.

T. M. FREDERICKS (white) sworn.

Question. State what you know concerning this difficulty at the academy, as briefly as possible.

Answer. After I was there about 9 o'clock in the evening, and walked out of the house into the yard perhaps twenty steps; met a gentleman named John Davis and lit our pipes a little distance from the house and turned and walked back; as we did so we heard a pistol fired down in the direction of the negro meeting. We made mention of it, wondering what it meant, and walked on. Presently we discovered Robert Smith coming up from the direction of the negro meeting, and some four or five colored persons, perhaps six, coming up in the direction he came from. They did not come all the way, but turned and went to a little shanty which stood twenty or thirty-five yards from where we were, saying, "Catch him, we have stopped too long in the house." The negroes then turned back. I went up to the shanty and found there two colored men. I turned and walked back to the yard which I had left. Presently, after I got there the negroes came running up where we were. It looked to me as if there were between twenty and thirty, a good long string of them, one behind the other in double file perhaps; at any rate the front ones were in double file as they came up. When they came up they made at me and Oliver Casey. They made a catch at me, saying, "Come, come." With that some person struck me, as I thought, with a stick across the shoulder. With that the fighting commenced. I then struck myself and kept on at it as long as I could, hitting every one that rushed at me. I tried to defend myself till they overpowered me, and I could do so no longer.

Q. Did you use anything but your fist?

A. No, sir; they finally overpowered me and carried me twenty or thirty feet from where I was.

Q. At what time was the pistol fired?

A. While I was struggling; shortly after the fight commenced.

Q. Did you see by whom the pistol was fired?

A. No; I did not even see the flash of the pistol.

Q. How did you finally get loose?

A. Some one of them said "that is Mr. Frederick," and with that the party with the exception of one let go their hold; one by the name of General Sopho. Bradley was the last man to let me go.

Q. Do you recognize any of these prisoners?

A. I do not think I do, although I cannot see very good. (Witness here put on his spectacles and looked at the prisoners.) I cannot say I recognize any of these men, although the faces of some of them are familiar.

Q. What persons did you recognize?

A. I recognize one, William Burrell.

Q. Did any of the negroes live in that neighborhood?

A. They did. It looks like that fellow is John Keith, (pointing in the direction of the prisoner.)

Q. Did not Jack Walker or Jack Lowry live in the neighborhood?

A. Yes; but I cannot say that I recognize any of them.

Q. Did you hear of language being used or threats made?

A. Yes, sir; I heard them threaten Bob Smith.

Q. How long did you remain there?

A. I left nearly as soon as I could get from them, and walked where Miles Hunnicutt was lying, and discovered this fellow William Burrell and a black person who had a double-barrelled gun, about ten feet, to the best of my knowledge, from the body of young Hunnicutt.

Q. Were you imprisoned by them?

A. No, sir; I was not there when the imprisonment took place.

Cross-examination by Mr. W. K. EASLEY:

Q. Did you see Bob Smith that night?

A. I did.

Q. Did you see him early in the evening?

A. I did not.

Q. Did you see him pursued from the direction of the house in which the negroes had a meeting?

A. He came up from that direction, but more of a westerly course from that by which the negroes ran up.

Q. Did you have any conversation with him after he came up?

A. No, sir.

Q. Did he seem to be under the influence of liquor?

A. Cannot say; I think he had been drinking, but do not think he was much out of the way; not enough to make him very tight; I smelt whiskey.

Q. Had he been in the debating society that night?

A. I do not think I did see him in there, but may have met him about the door.

Q. You were fighting at the time the pistol was fired? Was it fired from near where you were?

A. It did not seem to be a great ways. The report of it was pretty heavy. I did not see the flash.

WILLIAM A. LAY (white) sworn.

Question. If you were at the Oak Grove academy on the night of this unfortunate occurrence, begin, and in your own way tell what occurred.

Answer. We met there on the evening in question for the purpose of debating, and were going on peaceably and quietly, all very much interested, until about a quarter past 9 o'clock, when my attention was drawn from the business of the society by men and boys in the school-house getting up and going out of doors. They appeared to be considerably excited. Not knowing what was the matter, I asked. The answer was, "the negroes are about crowding us." Perhaps two-thirds had gone out of the house when I reached the door, and saw the flash and heard the report of a pistol. As the white people were going out of the house, the negroes were coming from the chimney side, or left side of the door. The whites, as they came out, went to the right side. Just as I arrived at the door I saw the flash of the pistol. It was fired by the negro party on the left. As soon as it was fired I rushed out through the crowd. I did not identify any one at the time, but believe General Sopho. Bradley

was there. I saw another crowd come from the house where the league was in session. I made for them, and asked if any of them knew me. I suppose six or eight stopped where I was; and one, I think it was Jim Keith, said, "we know you, and don't want to hurt you." I said, "if you have any influence put a stop to this." They went on by me to where the firing had taken place. There were between 30 and 40 in this crowd. At the time the pistol was first fired, in the yard, there were not more than 15 or 20. The negroes appeared to get mad at me for saying, "try to stop this thing." I went back to the crowd, and saw Jim Keith again, and asked him who was the leader of the party of negroes. He pointed me to a tall black man—I do not see him here—"who," said he, "is our president." I asked him to try and get him to stop the thing. It did not seem to do any good. Going through the crowd I found a negro man named Burrell. I said to him, "I believe you have some influence over the negroes in this country; if you have, see if you cannot go about among them and get them to stop this." He did try, and got them nearly quiet, when some negro came up, took him by the breast, pushed him aside, and threatened Burrell for taking the part of the white people. I saw Jackson Henderson with a double-barrelled gun, his finger on the trigger, and "arms port." I went up to speak to him, when he jumped back, as if he were going to shoot, and would not have anything to say to me. I then began to think of going home, and went into the school-house to get something which I had left there. While in the school-house I heard some one call "sergeant," and then heard the sergeant call the names. He said, "men, form in two ranks as your names are called." About the time he got through forming the men in two ranks, I went into the yard and saw them start off, in command of some person, in military order. I heard the order given, "bring him back, dead or alive." Bob Smith was the person they were after. Some one said, "he should be hung." Just as they were starting off, a negro standing near me, looking me full in the face, said: "you talk about your war; I am a war man, and in for a war now." A tall negro, who was standing near by, nodded assent, as much as to say, "I am ready, right now." Orders had been given for the arrest of all the white people there. I did not go into the house so soon as the rest. They came to me and threatened to show some violence if I did not go in. There was a negro man present taking an active part. I commenced remonstrating with him, when he remarked, "we have the law in our hands now, and we are going to have you white people where you had us." I asked him his name. He said, "Greene Kilpatrick, it used to be; now it is Greene Cleveland." After we were in the house Harbin asked permission to go out to see his brother-in-law, and we all went out. I then asked permission to go home, as much to try them as anything else. They said, "no white man can leave." Shortly after this they sent for somebody to write the names of all the white persons, which was done. Mr. Hunnicutt arrived about this time, and went into the house where his child was lying. I heard of some persons who wanted to go near the child, before he was brought in, but some negro stood over him, and told them "stand back," that he would not allow any one to go near him. The crowd were stamping over the ground, near the child.

Q. Did you hear any remark made concerning the child?

A. The only expression I heard was this: One of them said, "there's damage done;" but he did not appear to be at all sorry for it. Mr. Hunnicutt went into the academy and staid there until the child was dead. Jim Keith was in the yard talking pretty loud, and assuming a good deal of authority, when Mr. Hunnicutt went out and told him he wanted him

to "hush that talking;" that they had killed his boy. A second time he told him he must hush. Just then I started to see about my brother, and did not get back until after the whole party had dispersed. This is my memory of the affair.

Q. How many colored men were there in the party?

A. I think there were between 15 and 20; perhaps not more than 10; they were all together.

Q. And you think the pistol was fired by them?

A. The pistol was certainly fired from that group of persons.

Q. Are you certain it was fired by a black man?

A. You can judge for yourself. I walked through the crowd and there was not a white man in it.

Q. Did you hear what they were saying?

A. I heard a great deal, but do not remember particularly what was said.

Q. Who of these persons did you recognize?

A. I did not recognize any of them, except the ones to whom I have alluded. There is one black fellow in the criminal box who strongly favors one who took a very active part in the riot.

Q. Do you know who was the sergeant?

A. I do not.

By the JUDGE:

Q. Did you recognize Henderson as taking a very active part?

A. I did.

Q. Do you know whether he was acting as a sergeant?

A. I do not.

By the SOLICITOR:

Q. Did you see any arms among them?

A. Only the double-barrelled gun and pistol. I am sure it was a pistol, because I saw the flash, and knew it was not a gun. The double-barrelled gun was in the hands of Henderson.

Q. How long did the young man live after he was shot?

A. Only a short time; about half an hour.

Q. Did you notice the wound?

A. I was at the inquest. It was at the back part of the neck.

Q. Was that wound the cause of his death?

A. The physician said so. I saw the physician cut into the neck until he came to the bone. He said the ball had cut the spinal cord.

Q. The two houses referred to are both on your land, are they not?

A. Yes, sir.

Q. Had you any personal knowledge that there was to be any league meeting there?

A. On the Monday before, the man, Jim Keith, came to my tanyard early in the morning, and we got to talking. I said: "Jim, I have heard you are to have a meeting of citizens up here;" and he answered, "yes."

Q. Who occupied the house where the meeting took place?

A. Frederick Garret; he is in my employ as a mechanic.

Q. Was any permission asked of you to hold this meeting?

A. None in the world.

Q. Were you under any promise to attend there and make a speech?

A. There was nothing that could be considered a promise to speak to them at all. As I was going on to say, Keith, while speaking about political affairs, asked if I would speak for them. I told him I was not competent, or capable of speaking. He says, "that's just what all the

white folks say." I then remarked: "Well, I can tell what I know, and what my opinions are." This is the sum and substance of my remarks.

Q. You were not present that night at the league?

A. I was not nearer than the debating society. I understood afterwards that the meeting was to be on Saturday evening at 3 o'clock.

Q. Did you see Bob Smith there that night?

A. Yes; I saw him about half an hour before the fight, near the door of the academy. He did not come in. He was called in, but when he was called he ran and backed out.

Q. He was called to make a speech?

A. He was a member of the society, and was called to make a speech. when he ran off.

Q. Did you see him any more?

A. I never saw him any more.

Cross-examination by W. K. EASLEY, esq.:

Q. You knew, then, Mr. Lay, that this meeting was to take place at Fred. Garrett's?

A. I never heard of that; what I heard was that the meeting was to be on the crossing of the Blue Ridge railroad.

Q. How far is the crossing from Garrett's?

A. There are two crossings; one is about a hundred yards from the house, the other is more.

Q. So that the crossing is near where Garrett lives?

A. Yes, sir.

Q. Jim Keith had requested you to make a speech to them that evening?

A. Yes, sir.

Q. Did you leave an impression on his mind that you intended to do so?

A. You can judge yourself from my language.

Q. Did you not expect to do so?

A. Well, on Saturday, Burrell, who was in the tan-yard with me, wanted me to go; I said: "Burrell, when you go up yonder this evening, if those people want me to say anything, they must send word to the tan-yard." I had no idea at all of the meeting after night.

Q. You had your speech prepared for the occasion?

A. I had thought some about it, and made some notes.

Q. You said that you spoke to Jim Keith when you were among the crowd after the firing, and asked him who was the head man, or leader of the party, and he pointed to a tall black person, who, he said, was their president?

A. Yes, sir.

Q. Did you understand they were under the orders of this tall black person?

A. That is what I understood.

Q. You understood that he was their chief?

A. Of course; yes, sir.

Q. Is he the person who gave the orders to the guard?

A. I do not know who gave the orders, but they were, "Bring Smith back, dead or alive."

Q. In a threatening manner?

A. Yes, sir.

Q. Is that tall person among the prisoners?

A. I do not see him.

Q. You did not see any indignity offered to the body of the unfortunate youth who was killed?

A. The people were forbidden to touch the child, and I heard no expression of sympathy from the negroes.

Q. You did not see it touched or trampled on?

A. No; not abused or run over.

By the JUDGE:

Q. I understand you to say that they crowded around the body, and were stamping a good deal?

A. Yes, sir; they were tramping around the ground very much.

By Mr. EASLEY:

Q. You saw no appearance of violence?

A. The impression was when the child was carried into the house that he had been killed by a stick or rock; I saw dirt upon his face, but, besides the pistol shot, there were no other marks of violence upon the body.

R. T. CASEY (white) sworn.

Question. Were you at the academy on the night of this? If so, state what you know.

Answer. When the fight commenced I was on the floor of the academy and a great ways from the door; from expressions I heard I discovered that a fight was on hand, or likely to take place, and I rushed to the door; I heard cursing, swearing, and exclamations, such as "Take him!" "Hold him!" I think I was the first man who stepped out of the house, and the first thing I saw was my son engaged with some negroes; it excited me very much, and I tried to get to his relief, for I saw he was being crowded by the negroes; as I stepped out I got hold of a stick; there was a negro making at him with a stick, saying, "Damn him, kill him!" I struck the negro, and then jerked my son from amongst them and told him to get away; he replied, "They have got Oliver, and I think they are going to kill him." I let him go to discover my other son, and had got hold of him when the pistol was fired; they were right up at us when the pistol was fired; I should think there were not less than 20.

Q. Did you see the pistol fired?

A. I did; it was done by the hand of a negro; I saw the flash of the powder, and saw the pistol; I looked in the direction of the pistol, and saw Miles Hunnicutt start to fall; I was not more than six feet from him.

Q. Did you recognize the negro?

A. I did not; I do not think I would know the negro if I were to see him again.

Q. Did you recognize any of the party then?

A. I did not. I recognize none of them as being there that night; but saw them the next morning, when they arrested me.

Q. What followed?

A. Immediately after the pistol fired, I ordered my boys to go home, and thought they had done so; my intention was to stay until I saw Fredericks; I knew they had him; I went perhaps a hundred yards from the house, but, not overtaking my sons, returned; as I went back, some 10 or 15 negroes came in a rush, between a run and a walk, cursing and going on at a dreadful rate. I asked them what was the matter; "We want Bob Smith—where is he?" I told them I did not know; some one in the crowd said: "You do know; every white man knows where he is, and we mean to arrest every white man and keep him until he tells." I went back to the school-house, and found my sons standing in the school-house yard; soon after, the negroes ordered us to go in, and we went into the house. I then went out of the back door, and made my escape.

Q. Did you see any arms?



A. Not until I met the crowd to which I referred; I then saw four or five guns, one sword, a pistol or two, and sticks; I don't know who had any of these arms; I was too much excited; my object was to get my children away from there.

(No cross examination.)

JAMES ADDIS (white) sworn.

Question. State what you know of this affair.

Answer. I was outside of the school-house, and 8 or 10 negroes came up; Nat. Frazier then began to hollo: "Run up—take him," and then they commenced fighting; I started to go around the school-house, when the pistol was fired.

Q. Whom did you recognize?

A. No other negro than Nat. Frazier.

Q. Had he any arms?

A. He had something in his hand that looked like a pistol; but I am not certain that it was a pistol.

Q. What did Nat. Frazier say?

A. As near as I can remember, "Here he is; walk up; take him?"

Q. Was this before the pistol fired?

A. Yes, sir.

Cross-examination, by W. K. EASLEY, esq.:

Q. How long before the pistol fired do you think you saw Nat. Frazier?

A. A minute or two.

Q. Had he shifted his position before the firing of the pistol?

A. I think he had.

Q. You did not see the person who fired the pistol?

A. I did not.

Q. Are you certain that you saw one in Nat. Frazier's hand?

A. I am not certain; but it was about the length of a pistol.

Q. It might have been a stick?

A. Yes, sir, it might.

MILES R. HUNNICUTT (white) sworn.

Question. You are the father of the youth who was killed?

Answer. Yes, sir.

Q. At what time did you learn of the event?

A. About 10 o'clock.

Q. How far did you live from the academy?

A. About a mile.

Q. Did you come over as soon as you could?

A. Immediately.

Q. State what occurred.

A. There were a good many persons in the yard, black and white: when I got into the edge of the yard I inquired where Miles was, and some one said he was in the house; I went in where my son was lying: three or four persons were there; I felt of his pulse, and found he was not dead, and inquired of him where he was hurt; he tried to speak, but could not.

Q. How long did he live?

A. I suppose 10 or 15 minutes after I got there.

Q. What was his age?

A. Fourteen last March.

Q. What occurred then?

A. I turned my son about a little, but we could see no bruises. Some one mentioned that he had been struck with a rock or club, and I thought it would be well enough to bleed him. Mr. Miller, who was with me.

set about trying to get a lance or sharp knife, and told me to strip his arm, when I found he was dead. Then we laid him out. During this time there was great confusion in the yard. There were so many voices I could not tell what was said. I did not like to hear these things and went out. There I told the negroes I wanted them to shut up that noise or go further away. No attention was paid to the remark, and I repeated it, adding: "You have killed my son, and this matter can be settled some other time. We have got civil and military law, and I want you to stop now."

Q. Did you speak to any one particularly?

A. I had called to this Jim Keith, thinking I could influence him to get the crowd to withdraw, as he appeared to have more to say than any of the rest. I do not know that he made any reply; but there were two or three others who spoke up. This Greene Cleveland was the first I recollect. He stepped up a little on my right, and had a sword raised, and, as he was shaking it over my head, said: "Dry that up; if you don't, we will arrest you." At this time I heard another voice, and a person stepped up in front, rather on my left, and says: "Hush that up; we don't allow no man to say aught against our proceeding. We don't know no law. We can call a million of men to our assistance, and they can be here in two or three days." I heard some one say: "Damn him, make him shut up." The second one who spoke to me was Elias Kennedy. There were two men whom I could reach with my right or left hand; both had guns. I think I knew them at the time, but could not call them.

Q. Did you know any of these prisoners prior to that time?

A. I did not notice particularly, but saw John Keith, Nat. Frazier, and Jack Walker.

Q. Did you certainly see these negroes that night?

A. I am perfectly satisfied that I saw them.

Q. Did you know any others?

A. I did not know them; but am pretty certain I saw Jackson Henderson; I cannot say certainly as to any of the others.

Q. Did you know there was to be a meeting of the league that night?

A. I did not.

Q. Your son had gone to the debating society?

A. Yes, sir. I had accompanied him and returned, and had been home ten or fifteen minutes. I was not there when the affair took place.

By the JUDGE:

Q. What was the remark made by Elias Kennedy?

A. "Shut up, or we'll have you arrested. They would allow no man to say aught against their proceeding; and they had orders or authority to arrest any man who did. We care not for the law. We can protect ourselves. If we cannot, we can call a million of men to our assistance, and they are bound to be here in two or three days."

Q. What followed?

A. At that time my son-in-law caught hold of my coat and pulled me back. He said to me, "Don't say any more to them; there is no reason in them, and there is no telling what they will do." At that time, also, Bill Perry, a freedman who lives on my place and works for me, caught hold of my sleeve and pulled me further back, and he says, "Boss, don't say no more to them; they've got no reason." The crowd then dispersed, and were pretty much scattered. Don't know where they went, but thought from the noise that most of them returned to the league-house.

(No cross-examination.)

JOHN DAVIS (white) sworn.

Question. If you were present during this difficulty, state what you know of it.

Answer. When the pistol was fired I was out in the academy yard. I saw the shot come from the negroes.

Q. How many did you observe?

A. There were about half a dozen when they first came up. They came up crying, "There he is, damn him, take him." Then I sort of stood back. They seized Casey and Fredericks, and I commenced picking a chunk out of the school-house to fire at them. They fired back and hit me in the side; then I goes behind the school-house, and didn't come back for a good while.

Q. Did you hear any threats made?

A. I heard some one order, "Take 'em into the school-house and tie em."

Q. Did you discover who fired the pistol?

A. I did not recognize a man—not at the time; but I recognized many after the affray was over.

Q. Who of the prisoners did you see there?

A. I did not recognize a man.

Q. Did you know any of these prisoners before?

A. No, sir. I had often heard of Nat. Frazier as a fireman on the railroad, but did not recognize any of them.

Q. What other remarks did you hear?

A. I heard one say, "Rally, pickets, and fire into them."

Q. Was that before or after the pistol shot?

A. It was after the pistol shot.

Cross-examination by W. K. EASLEY, esq.:

Question. Are you very confident that the pistol was fired by a black man?

Answer. It was fired from the party that came up first.

Q. Was the fight going on when the pistol shot was fired?

A. Yes, sir.

Q. Then you withdrew?

A. Well, I sorter fell back.

Q. In other words, you changed your base, and took up a new position?

A. Yes, sorter so.

Q. Did you hear more than one shot fired that night?

A. I heard two; one at the league, the other at the school-house.

Q. How long after the firing of the first shot did the six or seven persons come to the school-house?

A. Nine or ten minutes, I should think. They came from the direction of the league. I was standing outside at the time they caught hold of Mr. Casey and Fredericks.

Q. Did any one obey the order, "Rally, pickets, and fire into them?"

A. No, sir; no firing followed that.

Q. Was Bob Smith there at the time these parties first came up?

A. I saw him run up after the pistol was fired at the league-house. I didn't see him afterwards, but heard the negroes say, "Here he is: take him, damn him, take him."

SAMUEL GAILLARD (white) sworn.

Question. What do you know of this difficulty at the academy?

Answer. I was in the house after the pistol was fired.

Q. Did you recognize any of the prisoners at the bar?

A. The affair had been nearly quieted down, when I recognized Nat. Frazier and Jackson Henderson. Nat. Frazier had a scarf or handkerchief on his head.

Q. Did you notice any peculiarity in the dress of any one that night?

A. Not particularly.

Cross-examination:

Q. Did you say that Frazier had a scarf?

A. I think he had something tied around his head, or he was bare-headed, one of the two.

Q. Did you hear anything like an order to bring him, dead or alive?

A. I did.

WILLIAM PERRY (colored) sworn.

Question. Were you at the league on the night of this murder?

Answer. Yes, sir.

Q. Were you a member?

A. Yes, sir; I'd give in.

Q. Had you ever belonged to the league before?

A. No, sir.

Q. Did you know how that meeting was got up? Who invited you?

A. No, sir. I jis hear de meeting was gwine to be dar. Dis was de fus time I was dar. I never had no invitation. Dey jis say a meetin gwine to be held, and I go up dar.

Q. Where did the men come from who were organizing that league?

A. From Walhalla.

Q. Do you know the head men acting there that night? what their names were?

A. I know de one dey call "Wallace." I aint enough into it to give you instruction anything about it.

Q. Were you in the house all of the time?

A. No. We didn't go into de house to jine till after de fray. All we who hadn't jined were on de lef' hand of de door when Mr. Smith came up and de guard holt him.

Q. Was this after he fired the pistol?

A. Yes, sir.

Q. Did you see him fire it?

A. No, sir.

Q. Well, go on.

A. De guard say "halt! Who fire dat pistol?" Mr. Smith, he say, "me." Den de guard say "we don't allow dat here; arrest dat man." Den de Mr. Smith he took off down de road.

By the JUDGE:

Q. How far was Smith from the guard when the pistol was fired?

A. About a hundred yards. Den he walk up to de house.

Q. How many guards were there?

A. I tink I see tree.

Q. Who were they?

A. I don't know 'em.

Q. Who was on the guard you know?

A. I doesn't know any of 'em.

Q. Who was the man who halted Smith?

A. I don't know.

Q. Do you know John Keith?

A. I know John Keith. He didn't halt him.

Q. You don't know December?

A. No, sir; I don't know nobody but Jim Wallace, John Keith, and Nat. Frazier. Don't know Jack Walker. Don't know anybody in the guard.

Q. What did the guard do when Bob went off?

A. De guard hailed in the house for something, and den went on up to where the other society was. Saw two or three come out.

Q. How many followed Bob?

A. I see four or five. We boys dat hadn't jined the society was ordered not to move, and can't tell nuffin about it.

Q. Did any one come back and make a report?

A. I heard say "Come, men; they've shot one of our men." Den dey all broke out. Mr. Hunnicutt, he and me got dere 'bout de same time.

Q. Well, what did you see?

A. De little boy was lyin on de groun, and I helped carry him in. Mr. Harbin, he say, "Bill, I'm so nervous I can't do nuffin."

Q. Who was the sergeant?

A. I don't know, sir.

Q. And who was the guard?

A. I tink Nat. Frazier was one; I tink John Keith was anudder; I tink Dock (Doctor Franklin) was anudder.

Q. This was all you knew of the guard?

A. Yes, sir; dat's all I knew.

Q. You don't know who the president or the vice-president of the society was?

A. No, sir; I doesn't know him.

Q. When you heard some one call out "Come, men; they have shot one of our men," did you know who it was?

A. No, sir; we was on de lef han of de door.

Q. Did you see any arms?

A. When dey all come out I saw a double-barrelled gun come out too.

Q. Didn't you hear orders given in the house when the guard went to the door and reported?

A. Dar was some orders given, but I dunno what was said.

Q. Did you hear any remarks made at the school-house?

A. I knew some one standing by Mr. Hunnicutt say "shut up."

Cross-examination by W. K. EASLEY, esq.:

Q. You heard there was a meeting at that place Saturday night and went there to join?

A. Yes, sir.

Q. There was a number who had not joined?

A. Yes, sir; we was on de lef han of de door.

Q. Was the guard in front of the door?

A. Two was on de up side, and one on de lower side.

Q. You heard a pistol, and immediately after the report Smith came up and said he had fired?

A. Yes, sir.

Q. You said it was a hundred yards. How do you know it?

A. I reckon it might be a hundred yards, an directly afterwards. Mr. Smith, he come up.

Q. Upon what do you base your information that it was a hundred yards? Did you see him at the time the pistol was fired?

A. No, sir; I only hear de report.

Q. Then how do you know it was so much?

A. I didn't say it was a hundred; I only say about a hundred.

Q. He came up to the guard afterwards?

A. Yes, sir; the guard say "who shot dat pistol?" He say "me." The guard say "we don't allow shooting about here," and halt him again; den walked alongside and said "arrest dat man;" den Mr. Smith he run.

Q. Did the guard follow?

A. Didn't follow right off. De guard apply to de house for some advice—can't say what—and the whole crowd came out and followed him.

ALEXANDER BROWN (colored) sworn.

Question. Were you at the league meeting that night?

Answer. Yes, sir.

Q. Where did you live?

A. At Mr. Lowry's, in the neighborhood.

Q. Did you ever belong to the league before?

A. Yes, sir; I joined at Walhalla.

Q. Did the men who organized the league come from Walhalla?

A. Yes, sir.

Q. Do you know them all?

A. No, sir; I jist jined; aint a full member.

Q. How did the meeting happen to be got up at Hunnicutt's crossing?

A. The first I heard of it was that Mr. Lay was going to make a speech to them; I think I heard uncle Jim Keith say so, coming up to the meeting that night.

Q. Where were you when the pistol was fired?

A. In the house standing by the fire. Directly I hear some one say "halt! halt!" in such a way as that.

Q. Who were the men on guard?

A. I don't know them all. I know Nat. Frazier was one, and December Gadsen, and Jack Walker, and John Keith, and Captain Deane.

Q. Did you see Rob Breckenridge or Mark Adams?

A. I don't know them.

Q. What occurred after the pistol fired?

A. When I hear the last pistol fired I was standing in the house. After the firing of the first pistol the meeting just carried right on; didn't stop for that at all. After the last pistol, words were give from the meeting to "take those men dead or alive." I hear Jackson Henderson say: "Go, take the man who killed our man, dead or alive."

Q. What kind of an office does Jackson Henderson hold?

A. Jackson Henderson is somewhere near the head man; Clarke Cleveland is president, and Jackson is next; anyhow, he is one of the big men.

Q. Was Alexander Bryce at that meeting?

A. Yes; he was there. I saw him sitting down at the table where they had papers.

Q. Was he making a speech?

A. I heard him talking; what sort of talking I didn't understand.

Q. Was any other white man there?

A. No other.

Q. Bryce was sitting at a table where they had papers. Was he reading to the meeting?

A. Yes; I hear him read, but don't know what it is.

Q. Did anybody make a talk to them?

A. Yes; I heerd a heap of talking, but don't know who it was. Heerd Mr. Bryce read papers, but don't understand it, you see.

Q. Where were the head men sitting?

A. They was sitting back side of the house, where the papers was. So was Mr. Bryce, close up with them.

Q. Was he there when Henderson gave the order to take those men, dead or alive?

A. Yes, sir.

Q. Did you hear him say anything?

A. I did not hear him say anything myself.

Q. What did they do when that order was given? Did they go out of the house?

A. Yes, sir; they broke out.

Q. Did you go along?

A. Yes, sir; I went along.

Q. I suppose you went ahead on that occasion, Aleck?

A. No, sir; the guard got there first.

Q. Was the guard there when you got there?

A. Oh, yes, sir.

Q. Any other person besides the guard?

A. There was a great crowd when I got there.

Q. Did you hear the guard report at the door of the league?

A. No more than "halt."

Q. Did they report to the officers?

A. Not that I heard of.

Q. When the last pistol was fired, did you hear nothing said?

A. When the last pistol was fired, I heard Nat. Frazier's voice; he hollered: "One of our men is killed." I heard him at the school-house. That's all I heard. The men went tearing out of the house.

Q. What was done at the school-house?

A. Well, they were taking on—going on powerful.

Q. Where was the boy?

A. He was lying not far from the door. Mr. Hunnicutt got there directly after I did.

Q. Did you hear anybody caution the people about tramping on the boy?

A. I didn't see anybody tramping on him.

Q. Were they not close up to him—almost on him?

A. Yes; there were lots around him.

Q. There was no fighting going on?

A. No, sir; the fighting was done over with.

Q. Do you know who of the guard had guns?

A. I knew John Keith had a gun, and Jackson Henderson had a gun that night.

Q. Who had a pistol?

A. George Wright, what stays up at Walhalla, he had a pistol; December Gadsen, he had a pistol.

Q. How was December dressed?

A. Well, he had on a sort of red-looking shirt, and a short coat.

Q. What did you hear said at the school-house?

A. Mr. Hunnicutt came out and told the people to hush so much talking; that they had done killed his son, and now he wanted 'em to go away. Then Clarke Cleveland told him if he didn't hush he would arrest him.

Q. Did you see what Greene Cleveland was doing about that time?

A. No, sir; but uncle Jim Keith was speaking for peace. He told them all to have peace.

Q. How many preachers were there?

A. Well, I saw uncle Elias Kennedy.

Q. You don't know Mark Adams?

A. No, sir.

Q. Was Bob Breckenridge there?

A. I don't know; but they said he was on the guard.

Q. Do you know whether young Greene Cleveland was on the guard that night?

A. Yes; he was on the guard, I think.

Q. Was he up there when you got there?

A. Oh, yes, sir.

Q. Did you see all the men you speak of being on the guard up there that night—December Gadsen, Jack Walker, Nat. Frazier, Captain Deane, Greene Cleveland, and Jackson Henderson?

A. Yes, sir; all up there.

Q. Had you seen any white man in the neighborhood that morning?

A. No, sir; I did not see any white man about the meeting until that night.

Q. Did you hear anything about the law, and what were their rights, and so on?

A. I heard no more than that they had the law in their own hands.

Q. Are you taught inside the league that you have a right to do as you please?

A. Not at all.

Q. Don't they take an oath to support one another—to back one another?

A. I don't know exactly how they do; don't understand it all yet.

Q. Are there any instructions given you by the head men as to your powers and rights?

A. Don't know nothing more about it.

Q. What is the object of the meeting? What do you meet for?

A. Well, I dunno.

Q. You went into the thing blind, then?

A. No, sir; I didn't.

Q. What good did they tell you would come from being a member of that concern?

A. They haint told me yet, what good.

Q. Are you sworn not to tell?

A. No, sir.

Cross-examination by W. K. EASLEY, esq.:

Q. Those words you heard said, about the negroes having the law in their own hands, were uttered at the school-house; were they not?

A. Yes, sir.

Q. And it was after the firing of the second shot, and the word came to the league that they had killed one of your men, that you heard Nat. Frazier "holler?"

A. Yes, sir.

Q. Are you certain you heard Jackson Henderson say "take that man dead or alive?"

A. Yes, sir.

Q. Then you all rushed up to the school-house, and when you got there Hummcutt was lying on the ground, in the road?

A. Yes, sir.

Q. Were the people up there conducting themselves quietly?

A. Yes, sir.

Q. You did not hear any one counsel violence inside of the league?

A. Not before the feller was killed.

Q. And then only by Jackson Henderson?

A. Yes, sir.



By the JUDGE:

Q. How long after the first pistol, before the second was fired?

A. About 15 or 16 minutes; am not certain. I was in the house, and broke out with the others when I heard that one of our men had been killed.

BEN. REESE (colored) sworn.

Question. Were you at the league?

Answer. Yes; I had just gone there to join. I didn't get in full.

Q. Where were you when the pistol was fired?

A. Down on the left of the house next to the railroad. We first went into the house, then a white gentleman came in and read a little pamphlet and talked a few words, and then they dismissed all of us who did not belong, and told us to go out of doors. When we got out six or eight steps they told us it was not far enough, and we went further down the hill.

Q. What did you do when you heard the first pistol fired?

A. I continued to sit there, and after a while I heard 'em holler at the house.

Q. Who hollered?

A. I don't know who it was. Heard "halt," again, and after a little while heard a noise. They appeared to be breaking off from the league-house towards the academy; some of them appeared to be running.

Q. When the last pistol fired where were you?

A. Still down at the same place.

Q. Who went up to the academy?

A. I don't know; they were there before I started.

Q. How long after the first pistol fired?

A. They did not break off until the second pistol fired—except a few.

Q. Who was the guard that night?

A. I cannot tell his name, but he used to belong to Mr. Maxwell.

Q. Was it December?

A. That's his name. There were three guards on the lower side.

Q. Who did you know among them?

A. I knew a little Jack Walker; another was near a white oak, in the shade of the tree. Don't know who he was. On the other side was John Keith. The way I found him out was, he came to warm his feet and said he must go back to his post on guard, or something like that.

Q. Do you know any of these men on trial here?

A. Yes, sir; Nat. Frazier, December, Jackson, and Jack Walker. There were others there that night, but I can't call their names.

Q. Who had pistols and guns?

A. The guard who stood by the tree had a gun. John had no gun when I saw him. I did not see any pistol that night.

SIDNEY BALDWIN (colored) sworn.

Question. Were you at this league meeting?

Answer. Yes, sir; I had just gone there to join; I live about a mile from there.

Q. Who told you to go?

A. Nobody particular; I just heard it was going to be.

Q. Did you see any white or black men going and giving notice of the meeting?

A. No, sir; I did not.

Q. Where were you when the pistol was fired?

A. I was in the league house sitting down in a corner.

Q. Did you mean the first pistol ?

A. Yes, sir ; the first pistol.

Q. How far off did it seem to be ?

A. About 30 yards—no further than from here to the roadside.

Q. What was done when the pistol was fired ?

A. I thought somebody said, "dare's somebody shot."

Q. Did the guard make a report ?

A. There was a fuss and confusion and jumping up. I didn't hear if any orders were given ; it surprised me to hear the gun shot.

Q. What did you do then ?

A. I stayed there a little time, and when I went out of the house the Hunnicutt child was lying on the ground.

Q. How did the crowd happen to leave the league ?

A. When they made the second pistol shot, they broke out of the house then.

Q. What was said ?

A. There was not much said—they just broke and talked as they went.

Q. Who was the guard around the house ?

A. I don't know who was the guard. I didn't go once until the boy was being put in the wagon.

Q. Did you see any of the men there who are being tried here ?

A. Yes, sir ; I know Clarke Cleveland and Jackson Henderson ; I see 'em at the league. I reckon I see 'em all.

Q. Was there much of a crowd at the school-house ?

A. When I got to the school-house the black people had nearly all scattered.

CLARKE CLEVELAND, sr., (colored,) sworn.

Question. You are president of the league at Walhalla ?

Answer. Yes, sir.

Q. Were you present at the meeting on Saturday night ?

A. Yes, sir.

Q. How far is it from Walhalla ?

A. I don't know—a pretty good distance.

Q. What took you down there ?

A. Well, Jim Keith he was our sentry ; he had to go to every little place to make up a meeting.

Q. What did you go down that evening for ?

A. To organize a league.

Q. How many of you went ?

A. Some eight or nine of us went from Walhalla.

Q. Who were they ?

A. Jackson Henderson, Greene Cleveland, and Greene Cleveland, sr., Jim Keith, John Keith, Nat. Frazier, December Gadsden, Capt. Dean, Bob Breckenridge, Mark Adams, and Jack Walker.

Q. These parties you have named are members of the league at Walhalla, and went down with you to organize a league there ?

A. Yes, sir.

Q. Who invited you ?

A. They said that Mr. Lay was going to make a speech for them ; the colored people said so.

Q. Did your league appoint a committee to go down there ?

A. Yes, sir. Them black folks down there give us answer at Walhalla, and we went down there.

Q. Is Mr. Bryce a member of the league at Walhalla ?

A. Yes, sir.

Q. Was he appointed to go along with you?

A. Yes, sir; but he did not go with the rest of us. I don't know exactly when he went. We did not leave all at one place.

Q. Did you know what Bryce was doing there?

A. No, sir; Mr. Bryce went before us the same day.

Q. You do not know what he went ahead of the rest of you for?

A. I never heard him say. He carried his wife along with him. He may have been going to see his people.

Q. In whose house did you assemble?

A. In an old black man's house, named Garrett.

Q. How many were there present?

A. There was between 90 or 70.

Q. Was any white men there?

A. No more'n Mr. Bryce.

Q. Is Mr. Bryce an officer of your league?

A. No, sir. He is not one of the officers.

Q. Who are the officers?

A. The most of them are officers who went from Walhalla.

Q. Who is your vice-president?

A. Jackson Henderson is vice-president.

Q. Who is your secretary?

A. Dave Singleton is secretary.

Q. And you met at Fred's and proceeded to organize?

A. Yes, sir.

Q. Was a guard appointed to stand around the house?

A. Yes, sir.

Q. Was it all done with under your approval and with your orders?

A. Yes, sir.

Q. Will you name the guard?

A. December, he was one.

Q. What office did he hold in the guard?

A. December was sergeant in the guard.

Q. Who else were guard?

A. Nat. Frazier, John Keith, Greene Cleveland, jr., Jack Walker, Cap. Dean, Bob Breckenridge, and Mark Adams.

Q. These were the guard for that night?

A. Yes, sir.

Q. What was the purpose of that guard?

A. To keep anybody from the house, and prevent people from getting our secrets.

Q. Then this was a secret meeting?

A. Well, there was some secret words we didn't want everybody to know.

Q. Was it not a political meeting for a political purpose?

A. Well, sir, a sort of political meeting.

Q. And the guard was stationed to keep persons from getting your secrets?

A. Yes, sir; dat's it.

Q. How far were they stationed from the house?

A. About ten steps.

Q. Do your regulations require them to have arms?

A. No, sir.

Q. How did they happen to have arms that night—so many of them?

A. We never had arms until after the pistol shot was fired.

Q. Had the sergeant a pistol?

A. I can't take any oath upon it, kase I never saw it.

Q. Had the vice-president a gun?

A. He had a gun after the death of the boy.

Q. Did any of the rest have guns or pistols?

A. There was another there, but did not know which had it.

Q. Were you armed?

A. Never had an arm in my life. No, sir.

Q. Did not all carry arms?

A. No, sir.

Q. Where did they get them?

A. They got 'em out of that old man's house—two guns.

Q. How did they happen to get them?

A. They asked for them.

Q. When was that?

A. After the little boy was dead they came in to get the arms.

Q. Did you hear the first pistol fired?

A. Yes, sir.

Q. What was done then? did the guard make any report?

A. They hollered at the door that somebody was at the door shooting at us. They called his name, but I don't know the man. I think they called Bob Smith.

Q. What orders were given to the guard?

A. No orders, only told some more to go out.

Q. Who gave these orders?

A. Jackson give orders for two or four more to "go and bring that man there."

Q. Did some one say "go and arrest that man dead or alive?"

A. No, sir. If that was spoke it was out of my hearing.

Q. Jackson's words were to "go and bring him there?"

A. Yes, sir.

Q. How long after they left was it until you heard the second pistol?

A. Not very long; some of them came running back and said "one of our men's killed up there."

Q. Did you all go up there at once?

A. We didn't all break off in a minute; some was reading and there was a general breaking off in that direction. It sorter shocked 'em.

Q. Did you go over?

A. Yes, sir.

Q. Did you see this guard over there?

A. Yes, sir.

Q. Was a guard organized over at the school-house to go and hunt Bob Smith?

A. Yes, sir.

Q. Who did that; whose business was it?

A. I don't know which one it was who told them to go after him. It was just a mangled up affair. Everybody seemed to be out of their heads.

Q. Who went off in command of the guard to hunt Bob Smith?

A. Well, (hesitatingly,) Nat. was one of them who went.

Q. Did the sergeant go along?

A. Yes, sir; I know Nat. went for one kase he knowed Bob Smith.

Q. How many were there?

A. I don't know whether there was four or eight.

Q. Did you stay until the crowd broke up? did you order the guard back to the house?

A. I believe I was the one who ordered them back.

Q. You told them to stay there until morning?

A. Yes, sir.

Q. Did you issue orders that no man should leave?

A. I told them no man must leave until we found out who killed this boy, kase it was not right one man should bear the shock.

Q. What did you do the next morning?

A. About daylight we marched in a body to Mrs. Smith's.

Q. You say Mr. Bryce is not one of your officers, but he was there that night?

A. Yes, sir.

Q. He was officiating as a public man?

A. Yes; he had to be there with us.

Q. Was he seated near you and Jackson Henderson?

A. No, he was standing in the middle of the floor.

Q. Did he give any orders that you heard?

A. I didn't hear any.

Q. But any orders extended by any body there, was in his presence, and in your presence, and in the hearing of the others?

A. Yes, sir.

Q. What order did you say it was that Jackson gave?

A. "Go and bring that man there;" that is all.

By the JUDGE:

Q. Did the guard go off under that order?

A. Yes, sir.

Cross-examination by Mr. EASLEY:

Q. You had invited Mr. Bryce to go down to Hunnicutt's Crossing and address your meeting?

A. No, sir.

Q. But your league invited him to go there and make a speech, and he went and made a speech, did he?

A. Yes, sir. I took part in the meeting.

Q. Had he carried his wife with him in the neighborhood?

A. I don't know.

Q. Has he relations living in that neighborhood?

A. I have heard so.

Q. When the order was issued to the guard, was Jackson Henderson then in the house?

A. Yes, sir.

Q. And he told the guard to bring the man who fired upon them?

A. Yes, sir.

Q. Did no other person issue an order from inside the house?

A. No, sir; not in my hearing.

Q. Did Mr. Bryce advise you to try and keep quiet?

A. He told me to go out and stop the fuss, if I could.

Q. Did Mr. Bryce go to the school-house?

A. No, sir.

Q. What was Mr. Bryce doing at the time that Jackson Henderson ordered the guard "to bring that man?"

A. We were all going through questions.

Q. Was Mr. Bryce occupied with his question?

A. He had his question the same as us.

Q. Do you know whether he heard the order from Jackson Henderson?

A. I can't tell.

Q. Did the business proceed in the ordinary way?

A. It went on quiet until we heard one of the men had been killed.

Q. What was reported to you when they came to you with that word?

A. "Some man is killed." They couldn't tell whether it was a white man or a black man.

Q. You did not apprehend any violence when Jackson Henderson gave his orders?

A. No, sir.

Q. Was information brought to the League that Bob Smith had shot at your guard?

A. Yes, sir.

Q. And was it upon that that Jackson Henderson issued his order?

A. Yes, sir.

Q. Was Jackson Henderson near the door of the building?

A. No, sir; we were just about the centre of the house.

Q. Was not Mr. Bryce some considerable distance from Henderson?

A. Just off, like these men on the jury.

Q. Was there a good deal of noise in the room?

A. A good deal of chat, hubbub and noise. Yes, sir.

Q. Did Jackson Henderson speak in a loud voice, or his ordinary tone?

A. In his ordinary tone.

Q. It is very probable that Bryce did not hear this order?

A. I don't think he could have heard it.

By the JUDGE:

Q. Do you think that your community, or any member of it, has a right to order the arrest of any individual? One of the witnesses has proved that he heard the pistol fired a hundred yards off, and the order emanating from you there was for your guard to go and bring Bob Smith there and arrest him. I want to know whether you think, as an association, that you had a right to pursue a man outside of your league and bring him back? If any man goes into your league and intrudes upon you there, and makes a disturbance, or attempts to enter when you forbid him to do so, you have an undoubted right to put him out and keep him out, but I do not know where you get the power to send off a guard with directions to catch a man, and, as has been testified, "bring there dead or alive." I mention this fact for your consideration, for this is an assumption of right which does not belong to any other than civil or military authority. No private association has a right to order the arrest of any human being, and it is a very dangerous position for you to assume or occupy. I say to you, therefore, that you had better be guarded and keep within the bounds of the law, for whatever you may think of the law, it will ultimately prevail.

By the SOLICITOR:

Q. I would like to ask you whether you do not think that you had the law in your own hands and could do what you pleased?

A. No, sir; not that I could do what I pleased.

Q. Is this a part of a military organization?

A. Yes, sir; a kind of semblance of such a thing.

Q. Is it not in your power to call a great army of these leagues throughout the whole country together? Can you then do what you please? Is not that the sort of doctrine taught you?

A. No, sir; I hasn't been taught that way. De main point now is to abide by the laws, and to learn us how to know about the law.

Q. Did you think that was a good place to go to learn?

A. Well, sir, that's the place where we learn de law.

Q. And from what you learned, you believed you had a right to arrest that man?

A. The way I thought, I thought I was doing the best for everybody and myself too. That's the way I thought.

Q. And you continued to think so all that night and the next day?

By the JUDGE:

I would like to tell you, Cleveland, in the presence of these people, that no man has a right to go into another man's house if he is told to stay out. No man can enter the house of another against the will of the owner, unless he is clothed with the authority of the law. The governor of the State, the chief justice of the State, dare not enter the house of the poorest citizen if that citizen tells him to keep out; but if the law gives him the right, it is a different thing. If a man undertakes to enter and intrude upon premises, the owner may use force to put him out; and if he takes the life of the intruder while engaged in that act, it would not be murder; whereas if the other should take the life of the owner, it would be murder. You must remember these things, for I see there is a belief on the part of a good many of your people that they are above the authority of the law.

R. M. CASEY recalled.

Q. Did you see any colored person going to that meeting whom you knew?

A. I did not see none of the prisoners armed, but saw them with other persons who were armed, on their way to the league, as they said. I saw Nat Frazier, and asked him what was the object of the league. He was cursing a white man for not joining it. I asked him what the object was, and he said "it was to put South Carolina back into its proper place. We intend to have land, and we intend to send men to Congress to make laws for us; and if they don't act in the way we desire, we intend to kill them." I heard the command, "Fire into them, men," distinctly.

Q. Can you remember the exact expression?

A. "Fire! men, fire!" was the expression, exactly.

Cross-examination:

Q. You say there was no firing after the order?

A. No, sir.

Q. And Nat Frazier said the object of the league was to put South Carolina into her proper place?

A. Yes, sir; and "we intend to have land, and to have some of the white men where they had us."

R. S. LEWIS, recalled.

Q. Did you see Mr. Bryce in that neighborhood at any time?

A. No, sir. I saw him that morning.

Q. Where did you see him?

A. About two miles from where this thing happened. He said he was going down to Mr. Hunt's to take a little hunt.

Q. How far did he live from there?

A. I understand he lives at Wallhalla, about ten miles from the place.

Cross-examination:

Q. How did you come to meet Mr. Bryce?

A. I was out hunting.

Q. Was Mr. Bryce out hunting?

A. Mr. Bryce was also hunting. His dogs were trailing.

Q. Does not his father-in-law live in the neighborhood?

A. He lives about five miles above.

Q. Who was with Mr. Bryce while he was hunting in the morning?

A. Mr. Hunt was with him, and a negro by the name of Perry.

Q. Had he plenty of time to return to Walholla and come back to Humnicutt's Crossing before that meeting?

A. He had.

NICHOLAS JACKSON (colored) sworn.

Question. Were you at the league meeting the night young Humnicutt was killed?

Answer. Yes, sir. I just went there to join. I live near there.

Q. Where were you when the pistol was fired?

A. I was coming down from my house and was within about 25 yards of the league house when I heard the shot.

Q. What was done when the pistol was fired?

A. I went straight on to the league house; me and Mr. Smith got there at the same time. I heard the guard ask who fired. Smith said, "I shot." They then told him they were going to arrest him; then he turned and started up the hill.

Q. Did the guard come back and make any report?

A. I heard some of them holler out, "Some of our men have got killed;" that was after I heard the next report.

Q. Did you hear any orders given to go after the man?

A. I heard no orders given. I understood some of them to say that Mr. Bryce had said, "bring him back, dead or alive."

Q. Did the man holler loud enough for the people in the house to hear?

A. He hollered pretty loud—loud enough for everybody to hear. I think the distance must have been 20 or 30 yards.

Q. Was that after the first or second pistol?

A. It was after the second pistol.

Q. Which side of the house were you on?

A. I was on the lower side, right by the chimney.

Cross-examination:

Q. Can you repeat the words exactly that you heard?

A. No, sir; there was a good deal of confusion.

Q. You were not in the house that night?

A. No, sir.

By the JUDGE:

Q. You say you were about 25 yards from the house when the pistol was first fired, and that Bob Smith came up there; was he further from the house than you?

A. He was about the same distance.

Q. Have you any particular idea of distance? How far is it to the other side of the room?

A. I suppose about 10 yards.

FREDERICK GARRETT (colored) sworn.

Question. This league meeting was held at your house?

Answer. Yes, sir.

Q. Were you a member before that night?

A. Not a solid member, sir.

Q. Were you in the league room when the pistol was fired outside?

A. Yes, sir.

Q. Did the meeting continue right on?

A. I heard the report of the pistol, and then heard the ball, or something like it, strike the house.

Q. What was done then?



A. No notice was taken at that present time; but the guard came up and made a report to the members of the house that somebody wanted to come in. Still hearing them make a fuss outside, I considered myself whether folks have come there to quarrel round about the house. The meeting was still going on for a few minutes; I reckon about ten. Then I heard an alarm come back again to the house and said they were firing upon our men up yonder, and one was killed. Then I see some of the men went out of the house and started down.

Q. Where was Mr. Bryce?

A. Mr. Bryce stood opposite me. He was reading a paper to the congregation, and the word was spoke to go and bring him; that I will deliver him to Pickens Court-house. Then the officers said, "Go out and bring him dead or alive."

Q. Was the word spoken by some of those who were acting as head men?

A. Yes, sir.

Q. Where was Mr. Bryce?

A. He was standing a little to the left of the table.

Q. Was it he who said, "Go and bring him dead or alive?"

A. No, sir; I did not say that. What he said was, "Bring him, and I will report him to Pickens jail."

Q. And then they went?

A. Yes, sir.

Q. Was that before or after the second pistol shot?

A. I did not hear the second pistol. It was when the guard came back a second time, and reported they were firing on our men.

Q. Where was this guard?

A. On the outside, so far as I know.

Q. Who was it reported to the house?

A. Some of the guard, I don't know who.

By the JUDGE:

Q. Did Mr. Bryce go off with the guard?

A. No, sir; Mr. Bryce stood in the house till the crowd came back to the house. A few minutes after we heard about the death, then he left and said he was going home.

Cross-examination:

Q. There were two alarms—one at the first firing of the pistol, when the ball struck the house, and another when the guard reported that one of your men had been killed?

A. Yes, sir.

Q. Do you know who brought back the second alarm?

A. No, sir, I do not.

Q. Did you ever see Mr. Bryce before?

A. No, sir.

Q. Do you know his voice?

A. No, sir.

Q. Then you are not certain it was him who made the remark?

A. No, sir; but from where he stood I took it to be him. There was a good deal of confusion. The house was just about as crowded as what is here now.

Q. Has anything been said to you about swearing against the Walhalla crowd?

A. Not as I recollect.

Q. You have not been invited to swear against the Walhalla crowd?

A. No, sir.

## Re-direct examination:

Q. Was Mr. Bryce the only white man there at the time of the interruption?

A. Yes, sir; he was the only one in the League.

Q. What did he do—was he not the head man of the affair that night?

A. All the instruction that he gave was with this paper that was going about; he read that.

Q. Did he make a talk besides?

A. Not in my hearing that night.

Q. Are you sure he gave no orders?

A. No, sir, no orders at all. All I saw I was particular in that, and wanted to see what it was. All I could see was just that he read that paper, and after he read it he laid it down.

Q. Where did that voice come from which said, "Take him dead or alive?"

A. To the left of Mr. Bryce. I didn't see that, because it was a different course from where I was sitting. I am certain of that word, "Bring him dead or alive," and that it came from some of the colored men; but the other words, "Bring him and I will report him to Pickens jail," came from Mr. Bryce.

## By the JUDGE:

Q. Did you examine the mark of the ball upon the house?

A. I saw a place where it is split off, and there is the mark of a ball cut in.

Q. Have you seen the place before?

A. No, sir, I never saw it before this.

ROBERT SMITH (white) sworn.

Question. Where were you on the night of this difficulty?

Answer. I was not far from the league. It was about 8 o'clock in the evening. I had come up on the train from Pendleton.

Q. Had you been drinking?

A. I had taken two drinks.

Q. Were you much intoxicated?

A. Not much; I fell down when I jumped off the train. I was sober enough to recollect all that occurred?

Q. Did you go to the house where the debate was going on?

A. Yes, sir; I was a member of the debating society, and went up there and staid a while, but was not prepared to make a speech. I took a notion to go to the spring after water. I did not know the negroes were there in a meeting. About half-way from the blacksmith shop I heard something fired, and a pistol ball whizzed over my head. Some one said, "Look out! there he goes down the road! catch him!" Some people were coming from the direction of the League house, and I went on towards the school-house before them. I had not been there more than seven or eight minutes before they came up to Fredricks and Casey saying, "There he is! there he is!" As the pistol was fired, I saw Miles Hunnicutt fall, and then went off.

Q. Did you hear them mention your name?

A. I did not hear it at all.

Q. Did you go near the League house that night?

A. I did not go there at all.

Q. Did you fire any pistol about there?

A. I candidly did not.

Q. Were you armed?

A. I had a pistol at that time, but it was out of repair, and I had no

load for it. I was taking it down to Mr. Happold's shop at Pendleton, to get it fixed. The ram-rod, and the pin that works the cylinder, were broken.

Q. Then you shot no pistol?

A. I had no pistol to shoot with that would shoot.

Q. You did not tell any of them you had shot?

A. No, sir; I spoke to none of the negroes.

Q. Where did you go when you left the academy?

A. When I left the academy I went down the road. I heard the negroes coming, and stepped into the woods. As they came down the road going to my house I heard my name mentioned, and it was then I stepped into the woods.

Q. Did you leave the neighborhood?

A. I did not; I never left it until Sunday evening.

Q. Did you keep yourself concealed?

A. Not particularly, but was not at my mother's. I heard the efforts they were making against me, and went off about eight miles.

Q. You were sent for and brought here as a witness, and have been indicted since you got here?

A. Yes, sir.

Q. You are very positive that you shot no gun or pistol?

A. Yes, sir; but somebody else did shoot a gun. It came from the direction of the road towards the League house, a little to the left of the League house.

Cross-examination by W. K. EASLEY, esq.

Q. You were drinking some that evening, Mr. Smith?

A. Yes, sir.

Q. You had carried your pistol to Pendleton for the purpose of having it repaired?

A. Yes, sir; but did not have time to do it. I wanted to buy me a hat, a pair of pants and a shirt, and reached Pendleton about 8 o'clock, and went right on to Mr. Keisler's, two and a half miles from Pendleton. I reached Pendleton again in about an hour by sun.

Q. Where are pistols repaired in that vicinity?

A. At Mr. Happold's, somewhere in the neighborhood of Pendleton.

Q. Did you buy your pants and shirt?

A. Yes, sir.

Q. You had caps for your pistol?

A. Yes, sir.

Q. Are you certain that you did not snap a cap on it?

A. Yes, sir.

Q. Did you know the negro men at the league house?

A. No, sir.

Q. How long have you lived in that neighborhood?

A. About 10 or 12 years, I have been living around and about there.

Q. Have you been at home all of the time?

A. I went up to North Carolina, and remained about two months.

Q. Did you know one John Keith in North Carolina?

A. Yes, sir.

Q. Did you have any difficulty with him there?

A. No, sir.

Q. Are you friendly with him now?

A. So far as I know.

Q. Had you any falling out with him?

A. No, sir.

Q. Did you get in any difficulty in North Carolina?

A. Yes, sir; but not with John Keith.

Q. You were indicted while there, Mr. Smith?

A. Yes, sir.

Q. You were put in jail?

A. Yes, sir.

Q. For how long?

A. I staid there 41 days.

Q. How did you get out, sir?

A. They just turned us out.

Q. Were you not tried?

A. The case was tried, but I was not at the trial; we were in jail.

Q. That is very remarkable; you didn't take interest in it?

A. How could I take interest when I was not in the court-house?

Q. Your going to jail was the result of what? What was you guilty of?

A. Stealing hogs.

Q. You can step down, sir; that is enough.

The solicitor here announced that the examination of witnesses on the part of the prosecution was concluded, and, at the request of the counsel for the accused, the court would adjourn to afford them an opportunity of conferring more fully with the prisoners than they had had an opportunity of doing, and decide upon the character of the defence which they have to make.

After adjournment, counsel for defence announced that, upon consideration, they had determined to submit the case to the jury without any evidence in behalf of the accused, and thereupon proceeded with the argument. W. K. Easley, esq., and General McGowan speaking for the prisoners, and Hon. J. P. Reed for the State.

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*Charge of Judge T. N. Dawkins.*

GENTLEMEN OF THE JURY: The investigation of this unfortunate tragedy is drawing to its close. The case has been elaborately and ably argued, both in behalf of the State and the prisoners at the bar. The latter have enjoyed every indulgence which the forms of law can afford, and every objection that could be taken by their counsel has been sustained by the court. The very important duty now devolves upon you, however, of deciding with reference to the innocence or guilt of the persons charged in this indictment. Upon you, therefore, rests a grave responsibility, and it is not for me to guide your judgment.

A great deal has been said—and not improperly, because it has been well said—in regard to the Union Leagues that have been organized in this section of the country, and their influence as associations upon the well-being of the community. Concerning the political aspect of the question, I have little to remark. We are organized as a court of law, and our business is simply to decide this case according to its merits—according to the evidence. Whether these leagues are advisable or not, whether they are proper, what effect they have upon the welfare of society, does not concern this court. We have to deal only with naked law and fact involved in the investigation of this case. However much, therefore, the observations you have heard may reflect the feelings of the country, you are not, in deciding the case, to consider the probable effect of these associations, or to look at them with a prejudiced eye.

You are not even to say they will lead to bad consequences, for that is a matter of private opinion—an opinion you have an undoubted right to express in your political capacity—and, therefore, I repeat, your business is simply to decide the questions of law and fact that may be submitted to your consideration.

In a legal point of view, I should make this remark: I have no doubt that the Union League had a right to assemble. Any number of individuals may meet together, and if they are in a private house or lodge arranged for their purposes, no individual has a right to intrude upon their deliberations. The occupants of the premises thus occupied have an unquestionable right to prevent anything like intrusion; and if such an attempt is made, it is equally lawful for the inmates to use all the force necessary to eject the intruder. When, however, such an association assumes the high prerogative of ordering any number of its members to go into the community, arrest an individual, and bring him before the body for trial and judgment, it is an act wholly unauthorized by the laws of the land, and one which merits the condemnation of every law-abiding citizen.

Applying these remarks to the case in point, Alexander Bryce had an undoubted right to be present with the Union League. If, as a white man, he was pleased with his associates, and chose to affiliate with them on equal terms, that is a matter of taste with himself; but he had no right to issue an order for the arrest of any individual beyond the immediate enclosure in which the meeting was being held.

Any organization the purpose of which is to enforce its own peculiar laws, is alike objectionable. More injustice has been perpetrated by the secret societies known by the names of "Regulators," "Night Hawks," and other similar associations, than by those who have attempted to resist the operation of law, and if there is any one thing of which, as a citizen of South Carolina, I am proud, it is that there is no recorded instance in the State of an opposition to her laws. Our people are eminently conservative. They have manifested the highest respect for the sanctity of the State law, and until recently there has never been any judicial record of an organized and systematic attempt to resist its execution. The humblest citizen could lie down in safety and quiet, conscious that, under the broad ægis of the law, he was protected in property and person, and that unwavering justice would be meted out to all who dared to disregard its obligations.

I do not know the object of these Union League organizations. I do not care to know. This is not a matter for our consideration; but if in their purpose they contemplate a resistance to the law, most assuredly, sooner or later, it will be discovered that they have made a fatal mistake. It has come out, in the progress of this case, that these Union leagues rely upon foreign assistance to enable them to accomplish their plans. I think it my duty to say here, that this is an unwarrantable belief on the part of the colored people. Upon whom do they rely? Upon their northern friends? upon the army? upon any power in the United States? Why, the very men who aided in the work of their emancipation, and upon whom they have ignorantly depended for support in the execution of their lawless purposes, are here to-day armed to maintain the peace and good order of the country, wearing the badge of its authority, and prepared to quell the first symptoms of disobedience and riot. Since the first court which I held after the suspension of hostilities, I have found the military ever ready to sustain me in the administration of civil law. They have captured and delivered prisoners, and seen them tried by the civil authorities; and I think but just to add that from that time to the

present, I have found the military authorities willing and ready to render every assistance necessary for the preservation of order and the suppression of crime.

I say, therefore, to my colored friends, that it is useless to rely upon this anticipated assistance from abroad, but, on the contrary, let them aim to become peaceable, law-abiding citizens, and they will find that the same protection will surround them which is accorded to every man in South Carolina.

Gentlemen of the jury, ten persons are before you charged with the crime of murder. There is no doubt that the life of an unoffending boy has been taken without provocation on his part. In the bloom of his youth he has come to an untimely end, and the grave question for your consideration must be, who was the perpetrator of the deed. The law is much more tender to one charged with crime than those who stopped the pulses of life in this youth, while he was yet moulding his mind for future usefulness, and in the very act of preparation for the struggles of manhood. The criminal is allowed the benefit of time; counsel plead for him; witnesses testify in his behalf, and 12 of his countrymen of his own choice decide upon his innocence or guilt. But here, in a moment, an innocent boy is ushered into eternity. Murder is committed. Who did it?

It appears that on the night of the 12th of October a debating society assembled at Oak Grove academy. A Union League met some 150 yards distant. One Bob Smith (who, by the way, I hope will be expelled from the association, for he is unworthy to be a member of any concern) came there, and says he then went to a neighboring spring for the purpose of getting water. Before he reached the place he heard a pistol shot, and the ball whizzing over his head. I do not regard his testimony as amounting to much. I did not like the appearance of the man, and still less his own account of his antecedents. The proof by two colored persons is that he admitted he fired the pistol shot himself. A guard, it seems, of nine or ten, were stationed around the league, and when Smith, who was apparently intoxicated, reached the house, he was ordered to go off. They threatened to arrest him, and he left.

What offence was committed by the league? The pistol of Smith had been discharged, according to the testimony of a colored witness, at a distance of 100 yards. He walks up to the guard, and when threatened he leaves. Under the supposition, on the part of the league, that he fired the pistol, an order is issued by the vice-president of the club for the guard to arrest him. Smith had gone off. Was there any occasion for their interference with him further? Was it necessary to protect the league? Was the harmony of their proceedings disturbed? The concurrent testimony of the witnesses is, that from the firing of the first to the second pistol there was no disturbance in the lodge, and it was not until after the firing of the last shot that any occurred. Then an attempt is made to arrest this man Smith; the vice-president issues his orders, and a guard of nine persons, some of whom are armed, is accordingly despatched, which guard are now the prisoners at the bar.

Gentlemen, I say to you that under the laws of this State Jackson Henderson, the vice-president of that association, had no authority whatever to issue an order for the arrest of any man; especially so, after the man had departed. What was to be done with the party, if arrested? Was there a warrant against him? Is the Union League a legal tribunal? How was he to be sentenced? What would have been his fate? Take things into consideration, gentlemen of the jury, and remember there was not one particle of power on the part of that league, save what they

chose to exercise at the point of the guns and pistols, with which they appear to have been well supplied, to interfere with Bob Smith, however mean and contemptible he may have been. And yet, according to the proof which has been submitted, this man, after firing his pistol, advances toward the guard, is threatened with arrest, leaves the locality rapidly; from six to fifteen persons, according to the testimony, start in pursuit, they go to the academy where a debating society is in session, they find one Casey, a young man who is certainly not charged in any way with guilt, standing near by, and with high words undertake to arrest him. Another individual, named Fredericks, likewise a member of the debating society, is also seized; they attempt to defend themselves and a fight ensues, in which the negroes use their sticks, and some are armed with stones. Suddenly a pistol is discharged from a group of colored persons, who, while not identified as individuals, are, according to the evidence of many of the witnesses, acting in concert. The shot proves fatal, and young Hummcutt lies upon the ground in the agonies of death—the innocent victim of some unknown assassin.

I do not consider the subsequent proceedings as essential to your decision, unless it be in one aspect, namely, that the declarations made by Cleveland, the president, and Henderson, the vice-president of the league, show a complicity between the parties concerned in the assault and death.

The question recurs, who, then, were there? As a matter of law all persons who are present, aiding and abetting in the commission of a felony, are principals. The law regards them as principals in a second degree. A man may be "aiding and abetting" who is not actually present—only constructively so. You will determine from the evidence, gentlemen, which of the parties were present and ready to co-operate with their associates and fellow-members. Did they go with a common purpose, and were they prepared to give assistance to each other?

According to the testimony some of them were armed, they acted in concert, they were in a body, they constituted "a guard," and they fired, and death resulted. Who fired? Reference has been made to a sergeant. Who was he? December Gadsden, and he was armed, for he exhibited his pistol, and it was seen by a number of witnesses, black and white. Whether he discharged that pistol none of them are able to say. But they did know that December Gadsden was active and officious during the evening in organizing the guard, giving orders, and taking general command. Whether he shot that pistol or not in attempting to affect the arrest which I have told you they had no right to make, every man engaged with him in the prosecution of that unlawful purpose became responsible for the result. To illustrate, if an individual starts out to do an unlawful act, and finds it necessary to the accomplishment of his purpose that he shall commit another felony, all who accompany are not to be held equally guilty. And yet, if two men were to attempt to commit burglary, and one of them, deserting his companion, should commit murder, not essential to the achievement of their object, only the murderer would be held responsible, because this act was not necessary to the prosecution of the original design. If, on the other hand, murder was necessary to the accomplishment of the purpose, then all parties concerned would be guilty of the crime, and liable to the punishment of the law. I beg, gentlemen, that you will observe these distinctions carefully.

Now, these parties indicted started out to arrest Bob Smith. That was unlawful. In the prosecution of their search they were told to take him "dead or alive." They searched, perhaps thought they had found

him; some resistance took place on the part of the young man in custody, and a pistol shot was fired which took effect upon the person of the unfortunate deceased. I hold, clearly, that every one of that small crowd of six or ten guards, from which the shot came, are responsible for the act.

My distinguished friend, the counsel for the defence, [General McGowan,] has urged that these parties cannot be indicted as "a guard." That is true. A corporation cannot be indicted, yet the corporators may be. A guard may not be indicted, but its individual members may be, and that has been done, by name. They have been identified by name by their own president, and on his evidence they are held responsible in their individual capacity.

With reference to the evidence, I have but few comments to make. If you are satisfied that December Gadsden shot this pistol, which resulted in the murder of young Hunnicutt, the others being present and ready to go to his assistance, you will find them guilty upon the first count. If you are satisfied he did not shoot, but that these prisoners constituted the whole or a part of the small crowd from which the shot came, they will still be liable upon the third count of the indictment.

It has been insisted that Alexander Bryce, who is charged with the crime, aided and abetted in its commission. If he was present at the time of the murder, and ready to go to the assistance of the parties, he would be a principal, and therefore guilty. If Bryce was standing even at convenient distance, watching to prevent interference, or creating a belief on the minds of the actors that he was ready to co-operate with them, he would still be guilty as a principal. But I must say I do not see anything in the evidence which authorizes such a conclusion. He did say, according to my understanding of the evidence: "Go and bring that man," or words to that effect. You, however, gentlemen, are to decide upon the law and the fact. Bryce was undoubtedly in the league. He had selected his own associates. He was in the same company he is in now. I trust he is pleased with it, and if pleased, that he will continue there. But it is unfortunate for him, for the interests of the community, and for the welfare of the poor, ignorant colored people, whom he seeks to represent, that the intelligence and good sense which he possesses, for he is evidently a man of the world, should not have been interposed to prevent the disastrous consequences that resulted from the meeting, in which he played such a prominent part.

Was he in the midst of that crowd for the purpose of encouraging the commission of a crime? Were the threats used upon the occasion, while the boy was lying a corpse, and his poor old father stood by, weeping, and in deep distress, the ideas put into the heads of the negroes by Bryce? Did Bryce countenance the thought that "a war between the races was shortly to occur, and the sooner the better?" Did he countenance the idea that the negro was in the ascendancy, and would soon put the white man where the negro had been? In short, did he excite their minds, by his presence or counsel, to the commission of a deed, for which, if these are answered in the affirmative, he is as answerable as the poor, deluded beings who believed him?

If he is not proven guilty of the specific charge made here, he is entitled to go free; but it is for his own conscience to consider whether, yielding to his tastes, to associate with an assemblage of negroes, he, with his superior intelligence, might not have justly rebuked sentiments calculated to produce an antagonism between the races, to bring misery upon his neighbors, and to prove disastrous to the interests of the coun-



try at large. Whatever may be the result of this trial in the public estimation, he will always be condemned for being a party to the encouragement of civil war, and a fit subject for the contempt of all good citizens, who desire not more the preservation of the peace and order of society, than that justice should be administered to all men, irrespective of race, color, or condition.

Upon another subject I desire to say one word. According to the laws of the State, these prisoners are entitled to be tried by the same rules of evidence and the same laws which apply to all persons. It is a mistake on the part of the colored people to suppose that their rights have not been protected. Every person of color in South Carolina has always been entitled to be heard in her courts, and if there was any interference with his property, or person, the party so interfering was liable to be tried by the same law and rules of evidence that would have applied to a white man. Our laws have always had a just regard for the rights of persons of color, and nowhere has justice been better administered than in South Carolina, without reference to man or his condition. With these remarks, gentlemen of the jury, I commit this case to you. If you believe that December Gadsden shot the pistol which killed this boy Hummicutt, and that the other prisoners were present, ready to give assistance, if necessary, in the execution of an unlawful purpose, they are all guilty. If you believe that Alexander Bryce counselled, advised, or procured them to go forward in the execution of this unlawful purpose, then Bryce is guilty, and should be held strictly accountable to the law. It has been suggested by the counsel for the defence that some of the prisoners at the bar have not been proven guilty; that among them may be Jackson Henderson; but, unfortunately, Jackson Henderson, in his official capacity, directed the guard to "go and bring him, dead or alive," (referring to Smith,) in the execution of which order the murder was committed. I leave the case, however, with you. If you think the persons named by the solicitor, or the counsel for the defence, not guilty, you will make your return accordingly. Bryce certainly is not guilty upon the first and third counts. If you find that he counselled the commission of this felony, he is undoubtedly amenable to the law under the second and fourth counts. The case is now in your hands.

The jury retired, and after an absence of half an hour, returned the following verdict: "Guilty, with reference to December Gadsden, Nat. Frazier, John Keith, Jack Walker, Greene Cleveland, jr., and Jackson Henderson. Not guilty, with reference to Alexander Bryce, Captain Deane, Bob Breckenridge, and Isaac Adams."

The prisoners were sentenced to be hanged on the 6th of December next.

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CHARLESTON, S. C., *November 12, 1867.*

GENERAL: I have the honor to transmit herewith a letter which has been handed me from Mr. Bryce, of Walhalla, Pickens district.

I know nothing of the circumstances of this case, but take this trouble as a simple act of justice to Mr. Bryce, who afforded me valuable assistance during my command of Pickens district in the latter part of the summer of 1865. The circumstances are as follows: When Lieutenant Furman of my command was assassinated, murdered in the streets of Walhalla, Mr. Bryce voluntarily took command of a mounted police

who were sent in pursuit of the supposed murderers. I have reason to believe that his life has ever since been in danger for that act, from some of the desperadoes who infest that section of country.

I would respectfully ask an investigation of the action of the sheriff, and that Mr. Bryce has the benefit of that investigation.

I am, general, very respectfully, your obedient servant,

N. G. PARKER,

*Late Capt. 33d U. S. C. T., Registrar in 1st precinct in this city.*

Major General E. R. S. CANBY,

*Commanding 2d Military District.*

WALHALLA, November 5, 1867.

MY FRIEND: I drop you a few lines in way of information, and also to ask you to do me a favor. You have been acquainted with me for a short time while you was in Walhalla; you must have found out while you was here by my folks that I have always been a Union man, and also my life has been threatened, because I tried the murderers of Lieutenant Furman. Sir, I wish you to see the General Canby, and see if we cannot remove the officers at Pickens Court House; they will not give a Union man any show in law, which the bearer of this will inform you. I was invited just to attend a public meeting down near Pendleton to make a few remarks to them, but when I got there I found most of the crowd were black men. I was speaking to them. About 400 yards from where I was speaking to them there was a difficulty happened; unfortunately a little boy happened to get killed; the whole matter was laid on me being accessory to it. Colonel Smith had me arrested and found it to be false, and gave me a writing showing, which I enclose. The coroner held his inquest, he found nothing, but these good friends of mine took out a sweeping warrant, and included about forty persons, me for one, came, and took me, and tied me to a black man—that is the sheriff—carried me to Pickens Court House, would not let me give bail, and told me “because you always have been a Union man;” and my trial came off in five or six days, and they did not have a bit of proof against me.

The jurors gave a true bill for a riot on Sunday, and I not within six miles of the place, and not a witness swore they saw me that day; and yet they gave a true bill; and if you will see the commander and help me out in this matter, I will give what is right in gold. See if we can't do something and let me hear from you as soon as you get this; and if we can, I will come down.

It is dark, and you must excuse my bad writing and formed letters.

I remain your friend,

ALEX. BRYCE, JR.

Captain N. G. PARKER.

ANDERSON COURT HOUSE, S. C.,

October 15, 1867.

SIR: Upon investigation I found that you were in attendance at the meeting of the Union League at Humnicutt Crossing, on the night of the 12th instant, not as an officer of the society, but as an invited guest.

The charges upon which you were arrested on the 14th are in my opinion without foundation.

Very respectfully, your obedient servant,

ALFRED SMITH,

*Brevet Lieutenant Colonel U. S. A.*

Mr. ALEX. BRYCE, *Walkalla.*

THE STATE OF SOUTH CAROLINA, *Pickens District :*

Personally came John Reid and Clarke Cleveland before me, and made oath that they were present at the meeting of the Union League on Saturday the 12th instant, at Hunnicutt's Crossing; that Alexander Bryce, jr., was present by invitation to address the meeting and was no officer in the league at all; that this was the first meeting, and for the purpose of organizing a league there; that the officers in charge there of the meeting were Clarke Cleveland, president; Jackson Henderson, vice-president; John Reid, assistant vice-president; George Wright, treasurer; David Singleton, secretary; Henderson McKenny, sentinel; James Keith, marshal; Henry Jenkins *alias* Young, chaplain; Isaac Brown, committee; Greene Cleveland, finance committee; and the guard consisting of December Gadsden, sergeant, Nat Frazier, Captain Deane, Bob Brackenridge, John Keith, William Munro, Jack Walker, and Mark Adams; that during the meeting every member is subject to the orders of the president; that while the meeting was in session (these deponents and the said Alexander Bryce, jr., being then in the house) deponents heard a pistol fire, and immediately afterwards the sergeant reported that the guard was being crowded on, and that Robert Smith was shooting at the crowd.

Jackson Henderson, vice-president, then ordered a re-enforcement of the guard, which was done the business of the meeting proceeded a few minutes, when the report of another pistol was heard; then came the report that somebody was hurt; then business was suspended, most of the members rushing out to see what was the matter, and the deponent James Keith says that he went out at that time, and reached the place where the lad M. N. Hunnicutt was killed, and found that he had been shot. The deponent Clarke Cleveland says he left the house about this time, also by the advice of Alexander Bryce, jr., to see what was the matter, and stop the fuss and prevent any fighting; and the deponent John Reid says he remained in the house until all except the said Alexander Bryce, jr., and Elias Kennedy and Fred. Garrett had left the house; after the firing of the second pistol, he then went out towards where young Hunnicutt was killed, and met Captain R. L. Lewis coming away, and was informed by him of the killing. These deponents further say that they returned to the meeting-house of their Union League about the same time, and about half an hour after the firing of the second pistol, and found the said Alexander Bryce, jr., a prisoner; that they understood his arrest was made by order of Jackson Henderson, vice-president; that said Bryce had not up to this time said anything except what has been before detailed in reference to the excitement outside, so far as these deponents heard, nor did he do anything; deponent James Keith says at the request of said Bryce before the transaction of any other business after the return of the deponent as aforesaid, had him released and he went off and was not seen again by these deponents, as they say, that night or next day until late in the evening about one hour and a half or

two hours by sun, when deponent Keith saw him at Charley Hunt's house. After said Bryce left that night the meeting place of the league, the business of the league was resumed; that when these deponents returned and found said Bryce under arrest as before said, Charley Hunt and William Hunt (white men) were also under arrest with him, and went off with him.

his  
JOHN × REID.

mark  
JAMES KEITH.  
CLARKE CLEVELAND.

Sworn to and subscribed before me, October 18, 1867.

JOSEPH J. NORTON,  
*Notary Public, Pickens District, South Carolina.*

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*Testimony taken at Milton R. Hunnicutt's house, near his mills, in the State of South Carolina, and in Pickens district, in the case of the State against the dead body of Miles Hunnicutt, October the 14th, 1867.*

W. J. BROWN, sworn, says:

Was at a debating club at Oak Grove academy, in Pickens district, and in the State of South Carolina, on Saturday night last. The debate had progressed some hour and a half; everything went on smooth and quiet up to this time. It was about half after 9 or perhaps 10 o'clock. There was an organized meeting of negroes on the same night some 150 or 200 yards from the academy above spoken of. Up to this time all was quiet. All of a sudden there was a considerable uproar in the yard of the academy; a great confusion of voices, so that words of the speakers could not be properly understood. I was sitting in the back end of the academy; I rose up to see what the row meant; looked through the crack of the house; saw from 20 to 50 negroes in the academy yard, and within 20 steps of the academy. Saw some persons fighting, fist and skull, and some with sticks in their hands. There were negroes engaged in the fight, for I saw them; did not see any white person so as to recognize them as such. About this time I heard the report of a gun or pistol, saw the flash; it was about 30 feet from the door of the academy, and about three or four steps from those who were fighting. In about a minute after the firing of the gun or pistol I heard some one say that the deceased, Miles Hunnicutt, was shot or killed. I had a son on the ground; went out quickly, fearing that it was my son who was shot, and on reaching the body saw that it was Miles Hunnicutt. The fighting by this time had ceased; the fighting had not ceased when the gun fired. There was at this time great commotion among the negroes; heard them say that they wanted to get or catch Bob Smith, because he had gone down to their meeting and had shot at or amongst the negroes, because their guards had ordered him to halt. Some 8 or 10 negroes were called by a negro in the crowd; were formed in two ranks, and the same voice which called out and formed the negroes in the two ranks, ordered them to go and bring Bob Smith, "dead or alive;" they started off. About this time the white people had all left except some five or six. The negroes, about this time, and before the body of the deceased was carried into the academy, ordered the white men who were still on the ground to go into the academy. Some or all of the white men did so; I, for one, asked the negroes

why they were detaining us in the academy. They replied in a very abrupt manner, by an order to shut my mouth. In a short time afterwards the white persons who were in the academy went out into the yard and I found out that the negroes were taking down the names of the white men; asked my name. Mr. M. R. Hummcutt, the father of the deceased, had reached the place a little before this time; came out and told the negroes to hush and leave there, for they had killed his boy; the replies and action of the negroes indicated that they intended to conduct and carry matters in their own way. I saw Jim Keith on the ground after the boy was shot, and before the names were taken by the negroes; also saw a crippled man living at Noah Grant's, called General Sopho. Bradley, also a man called William Perry. I saw Bradley after the shooting, and William Perry after the shooting, and before the body was carried into the house. William Perry assisted in carrying the body of deceased into the house, and did not appear to take any part in the riotous proceeding. I also saw a negro man named Burrell after the boy was dead, not before. Burrell seemed to be lamenting because there had been a disturbance there. The foregoing names embrace all the colored men I can remember at this time and identify, with the exception of Sidney Baldwin, whom I saw about the time they were putting deceased in the wagon, who said he had just come there. When the negroes were formed in two ranks and marched off, some of them had guns, at least three or four or more. Deceased was shot in the yard of Oak Grove academy, and died in the academy about 10 o'clock p. m. on Saturday night, the 12th day of October, 1867. The academy is in Pickens district, South Carolina. I heard Jim Keith say that he was marshal of the negro meeting, on Saturday night last, and think there were 100 negroes or more at the meeting. Jim Keith is commonly known in the neighborhood as a preacher. There were about 30 or 40 white persons at the academy on the night the deceased was slain, boys and men. There was no disposition on the part of the white persons to engage in any riotous proceeding; some few showed a determination to defend themselves if assailed; the greater number showed a disposition to get away from the place, and in five minutes after the gun was fired there were not more than six or seven white persons left on the ground. I do not know a single negro who was actually engaged in the riotous proceedings of Saturday night last; I mean as to the fighting.

W. J. BROWN.

THOMAS M. FREDERICKS, sworn, says:

Was at the meeting at Oak Grove academy on Saturday night last, about 9 or 10 o'clock. I stepped out into the yard; John Davis was with me. As we were returning to the academy we heard a pistol, as we supposed, fired in the direction of the negro meeting; about a minute afterwards I saw Cobert Smith running up from the direction where the pistol fired. I asked him what was the matter; he said they had shot at him down at the regular meeting. I said if they have stand your ground right there. I saw some five or six men whom I took to be colored running up from towards the negro meeting calling out "catch Robert Smith—take him," &c. They came up to a little shanty some 40 yards from the academy, and stopped for a very little time, and then turned back in the direction whence they came; as they turned back they said they were too slow, but that they would catch him. I went to the shanty, saw two negro women there, asked them what this running up there meant; they said they were after Bob Smith who had shot at them. I then walked back to the academy. A crowd of negroes, some 20 or 30,

came running up to the academy calling for Robert Smith. They took hold of myself and Mr. Cassey, saying "come," and one of the negroes struck me, as I suppose, with a stick. With that witness went striking at them, and kept it up until they overpowered him. The negroes then pulled witness some 20 or 30 feet, discovered that he was Tom Fredericks, and turned him loose, saying that they would have Robert Smith. I then left the place and went home. While I was held by the negroes I heard the pistol fire which I supposed killed Miles Hummcutt. The only negro I knew of the crowd which came running up to the academy was General Sopho. Bradley, who had me by the collar, and was one of the last to let me go. In passing through the yard as I went home, I saw a negro with a gun, about ten feet from the body of deceased; it was a double-barrelled gun. The negroes were making a great noise at the time. I did not know the negro with the gun, nor any others at the negro meeting. I think I saw a negro called Burrell, but I am not certain. Saw no pistols. Knew a good many of the white people who were at the debating society. The assembly acted civilly and well.

T. M. FREDERICKS.

O. W. CASEY, sworn, says:

I agree substantially with most of the testimony made by T. M. Fredericks. When the crowd of negroes came up to the academy yard and took hold of myself and Fredericks, they said: "Here he is; take him—come." I then pulled loose from them. They then turned off. About this time the pistol was fired about six feet off. Saw the flash; did not know who shot it, but know that it was a negro. I think he was a young negro; was a low, chunky black negro. I saw the pistol, and know that it was a pistol which was fired. About a minute after the pistol was fired, I learned that Miles Hummcutt was killed; saw him, and am satisfied that the pistol then fired killed deceased. I then in a few minutes, under the orders of my father, went home. Know none of the negroes who were there that night. The negroes were noisy and very unruly when I left. As far as I saw the white people conducted themselves civilly. I heard Robert Smith say he had been down to the negro meeting, eaves-dropping them, and that they had shot at him. Smith was drinking; I think drunk. Smith was in the academy yard a few minutes before the crowd of negroes came up; I never saw him any more that night. I was at the academy on Saturday night last, when and where I got the foregoing information. I heard Mr. T. M. Fredericks say when the negroes had hold of him, "Rally men, rally." I saw some negro in the crowd, whom I did not know, with a gun, which I thought was an army rifle; but I don't know. I don't know whether Smith had a pistol or not; none of the white people were armed that I saw or know.

O. W. CASEY.

R. M. CASEY, sworn, says:

Was at Oak Grove academy at a debate last Saturday night. Was in the house at the time the row commenced. As soon as I heard it, I went out into the yard. From what I saw and heard I learned that there was a fight on hand between the negroes and the whites. Saw my son and a negro fighting; another negro making at him. Rushed up to rescue my son. Knocked the negro down with a bench leg, I think. I then pulled my son away. Very soon I saw my other son; got my sons together. At this time the pistol fired. Saw Miles Hummcutt fall. Heard frequently that Miles Hummcutt was killed. I then, thinking my

sons were gone, started for home, and ran, say some 150 yards, to overtake them; not doing so, I returned and found my sons had not left. As I returned I met some 15 or 20 negroes, some of them armed with guns, one with a sword, and some with sticks. I asked the negroes what was the matter. They said they wanted Bob Smith, and that you all know where he is. They said they would take him dead or alive, and that they would hang him to the first limb they got him to. The negroes had started in the direction of Mrs. Smith's, the mother of Robert, but stopped when they met witness. The crowd of negroes went back with me to the academy; some of them I thought were intoxicated. About the time deceased was killed I heard several of the negroes say, "Rally, my men—fire." I saw the flash of the gun or pistol which killed deceased; it was in a group of negroes, and I am certain it was a negro who fired it. I heard the order given to take the names of the white men. The thing was in process, but witness left before it was completed. Can't give any of the negroes' names. The crowd of negroes were very riotous and disorderly; never saw one more so. The white people kept perfect order, and were perfectly peaceable, attending to the debate till the riot took place, when a large majority left.

R. M. CASEY.

WILLIAM A. LAY, sworn, says:

Was at the meeting at Oak Grove academy on Saturday night last; was secretary of the society. My evidence corresponds with that of W. J. Brown, up to the commencement of the riot. I was setting nearly in front of the door in the academy by a table. The first thing that attracted my attention from the business of the society was the men in the academy rising suddenly from their seats and making out to the door. Not knowing the cause I asked their reasons for doing so; was told that the negroes were about to crowd us. At that instant I heard considerable confusion in the yard; the men were rushing out of the house as fast as they could get out; were considerably excited, some of them. I had not got out of the house. I had got to the door myself, when I saw the flash and heard the report of the pistol. From the direction of the flash I believe it was fired low enough to take effect in the crowd of white people who were in the yard. As the white men came out of the house they went out in a direction from the negroes. As soon as the pistol was fired I went out at the door. The first thing I saw was Miles Hunnicutt laying on the ground. I saw a crowd of negroes coming from the place of their meeting; this was after deceased was shot; started to meet them; saw two or three negroes around T. M. Fredericks; some of them had hold of him. As the crowd was coming up I called to them and asked if any of them knew me; several of them came round me; one said, "Yes, Massa William, we know you; we don't want to hurt you." I said to them, "If you have any influence here put a stop to this." All left and went into the crowd at the academy. I then went in that direction myself; saw and recognized James Keith; asked him who was their leader, he pointed out a negro man and called his name, but I can't remember it, and said, "That is our president." I asked him to go and try and quiet his people, then left him. Don't think Jim said anything to the president; if he did, it had no effect. In passing around, I saw and recognized Ben. Reese and William Burrell; called them to me; tried to get as many around me as I could; got some 12 or 14; asked them to let me reason the case with them. William Burrell appeared to favor the idea, and tried to get those who were around to be quiet, so that I could speak to them. About the time he got them quiet a little,

one of the ringleaders came up and commenced abusing Burrell, saying that he was taking up for white people; used some threats of punishment to Burrell; then those to whom I was talking returned to the crowd. After that I made other attempts to get the negroes to listen to me, but they would not. About this time I heard some voice in the negro crowd say, "Arrest every white man that is here; don't let any get away." I then went back into the academy; heard a voice in the yard calling men by their names, saying, "Fall in here, men, as your names are called." I then went into the yard; the body of deceased was still laying there. I saw about 12 negroes form in two ranks and start off; as they started off I heard a voice saying, "Bring him back, dead or alive." I was then looking at the ringleader, before spoken of, who said, "You talk about your war; I am in for war, and want it to commence." I then attempted to talk to a negro whom I afterwards found out to be Greene Cleveland. Cleveland said, "We have got the law in our hands now; we are going to have you as you had us once." The negroes then proceeded to arrest all the white people that were there, and make them go into the academy. Greene Cleveland stood at the door of the academy, where I asked his name; he told me. Up to this time deceased was still laying out of doors. Mr. Harbin asked Jim Keith if he could go out and see the deceased, who was his brother-in-law; that he wanted to do something for him. Permission was granted. Deceased was then carried into the academy. The negroes still refused to let any of the white men leave. I asked and was refused. The negroes then proceeded to take down all the names of the white people. While doing so Mr. R. Hummcutt, the father of deceased, arrived, and the greater portion of the negroes left. I saw a middle-aged negro with a double-barrelled gun, which he held at arm's port, who, from the time the riot commenced, was busily engaged in stimulating the rioters to their lawless acts, and in keeping up the excitement of the negroes. Said negro refused in a very abrupt manner to hear anything that witness might say to quiet the disturbance. I recognized a negro called Charles, staying this year with B. E. Fredericks, who was an active participant with the rioters all the time. I am satisfied that the pistol fired, as adverted to in my foregoing testimony, was fired by a negro, and that the discharge killed Miles Hummcutt.

W. A. LAY.

ELVIRA J. SMITH, sworn, says:

That on Saturday night last a company of negroes, supposed to be 15 or 20, came to her house about 11 o'clock. I met them at the door; about 4 or 5 came into the house. Asked where Bob Smith was; said they allowed to have him dead or alive. They searched my house both below and up-stairs. One of the negroes came into the house with a pistol in his hand; I did not know him; the only one of the crowd whom I knew was John Keith, the son of Jim Keith. He used profane language and said that I had no business to let my son Bob tote a pistol. The crowd came to my house in a rush and alarmed me very much. I live about three-fourths of a mile from Oak Grove academy. On Sunday (next day) about daybreak, or a little after, a prodigious company of negroes came to my house, still hunting my son Robert. I knew none of them but John Keith, who was with them and had a gun on his shoulder. A less number of negroes came to my house about two hours by sun, a. m., on the same day and said they were hunting for Tom Fredericks. John Keith was with the crowd the two first visits, the last time he was not. There was a chunky black man whom they called "sergeant;" the negroes obeyed his orders. The sergeant wore a red shirt, a small-



brimmed black hat, and was dressed altogether in dark-colored clothes. The negro who came into the house with the pistol in his hand was the one they called sergeant; others of the crowd had pistols, some were armed with sticks; one at least had a sword and some had guns.

(Signed.)

E. J. SMITH.

W. L. KEASLER, sworn, says;

Was present at the meeting on Saturday night last; was there when the pistol was fired, heard the report, went to the door and saw the deceased lying in the yard; I then returned into the house, went out at the back door and made my escape; I did not return that night. On next Sunday morning, about sunrise, some 50 negroes came to my house and arrested me. I recognized Jim Keith in the crowd, also John Keith, the son of Jim, who had, I think, a gun; Jim had a stick. Sempa Bennett was with them, who is working this year with A. B. Hawkins; also Bob Pettigrew, also General Sopho Bradley, also John Butler, also Bill Perry, also a negro called John Legase, who lives with A. B. Hawkins, also Tom Cherry, also William Burrell. Charles, who lives with B. E. Fredericks, was in the crowd. A very bright mulatto man who used to belong to John Lorton was in the company and assumed much authority. There was also a chunky black negro in the crowd, who seemed to have much authority, who wore a red shirt, a small-brimmed black hat, and dark clothes. They were nearly all armed with something or other; some two or three guns and pistols, one sword, and sticks or clubs. Being under arrest my captors took me as far as Tom Fredericks', then left a guard to look over me and others whom they had taken, and went in search of Tom Fredericks, who had dodged them. After a while a little squad come in sight and told the guard to bring on all the prisoners but Keasler, and to discharge him.

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W. L. X KEASLER.  
mark.

W. R. CASEY, sworn, says:

Was at the meeting on Saturday night at Oak Grove academy. All was peaceable until about 8 or 9 o'clock. I was in the yard; all at once I saw Bob Smith coming up from towards where the negroes were having their meeting. About a minute and a half before I saw Bob Smith I heard a gun fire in the direction of the negro meeting. When Bob came up he said "Boys, they are after me pretty hot, and have shot at me." I told him if they had not to run, but to stay there and that he would not be hurt; he stayed; I asked him if he had a pistol; he said—stripping his pocket—you would have thought it, I am ready when they are. Bob Smith had been, I think, drunk, but was getting over it. He was at the academy when the fighting commenced, close to the door, with his back to the negroes. I saw him no more that night, but he did not leave until after the pistol was fired which killed Hummcutt. There was only one pistol fired in the yard of the academy while I was there, and I was within about a foot of its flash and saw the person who shot it. He was a negro below the common height, a slick skin, black man, a young looking negro; I think not more than 18 or 19 years old; don't think he was grown. He ran up and fired the pistol and gave back. Hummcutt fell immediately after the pistol shot was fired by the negro above mentioned, and I have no doubt but what the load discharged from that pistol killed him. I saw a middle aged, portly man, whom I supposed to be Fred. Garrett, and at whose house the negro meeting assembled, with a double barrellled gun, holding it across his breast; he had, I think,

his hand on the trigger; he was about 10 or 12 steps from the school-house, on the chimney side, walking about saying, "Bring Bob Smith back dead or alive, we will have him!" I am not certain this was Fred. Garrett, but think it was. I saw among the negroes and in their hands four guns, while in the academy yard, one double-barrelled gun, two guns which I took to be Enfield rifles, and one small shot gun. This was about 10 o'clock when I left and went home. None of the guns were fired while I was at the academy. The negro who fired the pistol put me in mind of a negro living at A. J. Lowery's, named Jack. I did not notice the kind of pistol which was fired. I heard some negro give the order "fire," after the pistol was fired. The pistol was fired in the direction of deceased.

W. R. CASEY.

G. W. KING, sworn, says:

Was present at the meeting at Oak Grove academy when the affray began. All went on peaceably till that time. Mills was at the table making a speech. I was standing at his back. I heard a fuss in the yard; men talking and saying "Take him." Went into the yard as fast as possible, and went to the east corner of the house. The deceased was by my side on the right. I saw the flash of powder about 12 feet in front of me; a pistol or a gun shot off. At the instant the gun went off Miles Hunicutt dropped in my presence. I then, to save myself, passed to the other end of the house. After staying there some 10 or 15 minutes I started to go away; went across the road some 20 steps. Being afraid there was a guard around, I went no further. Stayed there till the blacks ordered the whites in the house; they went in. A guard of blacks, about 14 in number, were sent after Smith; two with guns, one with a pistol, and the balance armed with clubs. I then went off; returned when they were taking the names of the whites, and then saw Cage Williams, who had a stick; Bill Perry, who had a stick; a man who used to belong to George Cherry, by the name of Ben. I also saw Jim Keith, who had a light walking-stick in his hand; General Sopho Bradley, with a stick; also Wallace Henderson; also a negro who works with Dr. Lewis, called Earl Berry; also Cherry's old miller, called Andy. So far as I remember, I saw no other negro whom I knew. Old Andy called to the crowd to keep silence and let him talk awhile. He advised the negroes to drop the fuss and go back to their business. They took him at his word. Jim Keith said, "My men, march to the house," and the crowd broke. This happened after the names of the whites were taken. Whilst the whites were under arrest, I was gone. I saw no arms in the hands of any white person. On last Sunday morning, as I was going to Shiloh, I met three negroes, to wit, Cage Williams, Henry Brown, and Alfred Guiton. Cage had a stick; Alfred and Henry had none.

GEORGE W. KING

W. W. HAMILTON, sworn, says:

Was at the meeting at Oak Grove last Saturday night; I was sitting in the academy, about 10 o'clock, and heard a noise like some one hollowing, at the same time the company commenced rising and going out of the house. Next thing I heard was something strike the house like a rock or chunk, as though thrown at the house. I had got up and got opposite the door but could not get out. About the same time a pistol or gun was fired, I suppose from the report it was a pistol; then I went to the back door, went out, saw a good many of the white men running through the woods. I called to them to come back. At the same time some one passed me and I said some one

was shot. I moved round to the front of the house as soon as I could; saw the yard was filled with freedmen—the most of it. I called to them, and asked them who was presiding over their meeting. Several spoke, and said “The president.” I said, have you any influence over this crowd, and said, if you have I want you to stop it if possible. Commenced reasoning with the negroes, who paid but little attention to me; went to one called Dock Kilpatrick and asked him to try and stop the affray. I think he tried to do so, but he did not do much good. I then pointed them to the deceased and told them to look there what had been done. Some negro said “We have had one war and there had to be another;” he said they had the power and authority and they had to rule the government. I saw Jim Keith in the yard assuming great authority, but not trying to quell the fuss. I think he had a stick; also John Keith, the son of Jim; also a mulatto boy, John, that belonged to John Lorton; also Ben. Cherry; also Henry Calhoun, who lives near Walhalla; also old Simon, the preacher; also John Butler, who was exciting the rioters; also William Perry, who seemed quiet; also Wallace Henderson, who was quiet; also Earl Berry; also Elias Kennedy, who was active; also General Sopho. Bradley, who seemed to be a leader amongst the rioters. The president ordered his sergeant to detail a guard and go and take Bob Smith dead or alive. John Keith, James’s son, and Dock, brother of Jim Keith, were on the guard. I think John Keith took a double-barrelled shot-gun after he was placed on the guard. As soon as the guard were organized they left. I saw nothing more of the men that were in the guard that night. After the guard left the commotion and riotous demeanor of the colored people who remained still went on; the white men were ordered into the house after the guard left. The sergeant was a chunky black negro, dressed in black or dark clothes. The sergeant had orders not only to take Bob Smith, but also anybody else who interfered with them; asked the negroes if there were any white man acting with the negroes at their meeting. They said “there was.” I then asked who he was. They said “Bryce.” I then asked why they did not bring Bryce out to quell the fuss. They said they had the authority to do it themselves. Next morning (Sunday) the crowd of negroes went going about making a great noise, marching from place to place. I recognized Jim Keith’s voice nearly a half a mile.

W. W. HAMILTON.

MILTON R. HUNNICUTT, sworn, says:

After he had arrived at the academy, and after his son was dead, the row still going on, went out and said: “You have killed my boy,” and asked them to stop, or go further off, to which they paid no attention; and seeing Jim Keith, whom he knew, called to him, thinking he could exercise an influence on him, so as to get him to exert himself in quelling the riot or in getting the blacks to leave.

At this time, he (the witness) was surrounded by four freedmen: the ones on his immediate right and left had guns, one of the two in front with a sword in his hand, the point of which was not more than a foot from his face, he recognized as Greene Cleveland; the other was Elias Kennedy. These two last were very insolent; one ordering him to “dry up,” the other to shut up or they would put him under arrest. Kennedy said he was not allowed to speak; that they had the authority from the United States, and could call 1,000,000 of men to their assistance.

M. R. HUNNICUTT.

W. T. MILLS, sworn, says:

Was at the debating society. The first thing which attracted my attention was some very abrupt voices out there, hollowing out to "take him;" heard it repeated several times. The men rushed out of the academy at both doors. I went out, looked, and saw Mr. Hunnicutt's son and Mr. King standing close together. I then looked to the left and saw the flash of the powder and heard the report of the pistol. I then turned my attention in the direction the pistol was fired, and saw that deceased was down. I then said in a loud voice to the negroes who were coming up, that Miles Hunnicutt was killed. The negroes were coming up infuriated, two of them took hold of my arms, some saying "take him," others "kill him." I pushed them back, asked them what they had taken hold of me for, that I had done them no harm. They then asked where Bob Smith was; that they believed the people there were protecting Bob Smith. I turned to Mr. Lay, and his little brother was there, and Mr. Lay asked me to take him to the tan-yard; that he did not want to go till he could see whether he could quiet the negroes. Went off with the little boy to Mr. Fredericks, then went back to the academy. The negroes were threatening to put the white men under guard, then commenced taking down the names of them. The guard, who had been sent to Mrs. Smith's after Bob, came back. I asked them if they had got him; they said not, but that they intended to have him. The guard had three guns and some sticks; recognized John Keith as one of the party. The description of the sergeant given by other witnesses is correct, except that he had on a long, dark coat, the fashion something like that worn in the first of the war. The present witness corroborates the statement of Milton Hunnicutt, that the negro who had the sword was Greene Cleveland.

W. T. MILLS.

JOHN SIMPSON, sworn, says:

Was at Oak Grove last Saturday night about two hours; everything was quiet, the debate going on; was standing out of doors; heard a pistol or gun fire down towards the negro meeting. Robert Smith came up in about a minute and a half from towards the negro meeting and said they had shot at him about the time he got there; saw about six negroes come to Nick's house, then turn and go back. In about five minutes they came to the academy; witness was standing on the door-step; the negroes were saying "take him, take him," and gathered Oliver Casey by the arm. As I got down off the steps they gathered me. I struck one of them and knocked him down; two more took hold of me and tried to take me down towards the house. I got loose, and about that time the pistol fired. I went immediately to where the boy was shot. Henry Harbin came out and asked, "Miles, are you shot?" Miles said, "Yes, I am shot." Harbin said, "Are you shot bad, Miles?" He said, "Yes, pretty bad." Miles never spoke any more. In a few minutes witness, Bill Perry, and Mr. Brown took him into the house, where he stayed with Miles till his father came, when I went out and saw about 15 negroes coming from towards Mrs. Smith's. I heard some of their own party ask them if they had found Bob. They said they had not, but they were going to find him, dead or alive. The guard were then ordered to fall in and they marched off in the direction of the house where they had held their meeting. John Keith was one of the guard. About 45 to 50 came to my house next day (Sunday) about sunrise and arrested me; took me about a mile, asked a few questions, and then turned me loose. The description of the sergeant by previous witnesses is correct.

The sergeant carried a single-barrel steel pistol. John Keith had a single-barrel gun. I saw, also, several revolvers. They said they had ten pistols and five guns. I saw in the crowd Orsburn, who stays at Barney White's. I also saw Numa Vance.

his  
JOHN × SIMPSON.  
mark

H. C. HARBIN, sworn, says:

Was at the debating society at Oak Grove academy on Saturday last I agree fully with Mr. Lay in his testimony except that I saw the negro shoot deceased. I saw him draw the pistol and fire, as he raised it up and fired. He then dropped it down and fell back. Miles fell. There was no other gun fired. As the negroes ran up to the academy there was a general cry among them to fire and knock them down. This was a riotous cry often repeated. I heard the order to detail a guard to go after Bob Smith. I heard the names of John Keith, Jack Walker, and Dock, the brother of Jim Keith, called as members of the guard. John Keith had a gun and Jack Walker had a pistol. Dock was armed, but I do not know what he had. After the guard left I saw nothing more of them. While the riot was going on I saw the following negroes, to wit: Edward Reid, who was running about very busy in the crowd; Dandy Small, who was quiet; Bill, this year at Mrs. Ravenell's, Bill was quiet; Jack Walker was running about, very busy; Alleck, at Fort Hill this year, very busy; Isaac Mazyck, (preacher,) very active; Isaac Brown, busy; Tom Ben. Lawrence, very busy; Ed. and Ned, this year at Green Stephens's, seemed to be quiet. The foregoing are all the negroes I could recognize except such as have been mentioned by other witnesses.

H. C. HARBIN.

JOHN ADDIS, sworn, says:

On last Sunday morning, about daylight, 46 negroes came to my house to arrest my son. They did arrest him; started off with him down the hill. I stood and counted the 46 as they went off; they went about a hundred yards and halted; all got in a ring about my son. I started and went down to them; walked up close in amongst them to hear what they said to my son, and his answers. Greene Cleveland would every now and then give orders to his men to ask my son what he saw take place at the academy the night before. I spoke to Greene and said, "I thought I had seen him before." He said, "You have seen me many a time before; I knew you mighty well, and knowed you when you came up this morning." I asked him who he was. He said he was Greene Kilpatrick then, but that now he was Greene Cleveland. He pointed out his son to me and said there was four or five of them white men beating on my son; said that he had ordered his men to fire into them three or four different times before they did fire; called to his son and told me to look how they had bunged him up. I had no more conversation with him at this time. They discharged my son and left, saying they were going to Mr. Simpson's. In about a half-hour six or eight of them came back to my house. I met them in the yard. I knowed two of them when they came back; one was John Keith, the son of Jim Keith, who was armed with a gun. The other whom I knew was Nat Frazier, who had a pistol in his hand. I asked Nat where he lived. He told me he lived at Mrs. Dendy's this year; then said he was sorry he had caught my son in a mistake, and they had come back to take him out to the road. They gathered my son. I told them I was going too, to see what their intentions were. Went on to the place appointed and stopped. Greene Cleveland and his crowd came on to where we were.

Greene Cleveland ordered his men to take my son and make him correct the mistake he had made. About this time the men who had gone after Fredericks came up and said Fredericks had ran. Greene Cleveland said, "That's the way; if you had fired into them as I told you to do last night, you would have got Bob Smith. You should have rushed in, as my son and Nat Frazier did last night." Cleveland would frequently come over the expression "If you had fired and rushed in you would have got Bob Smith." Nat said that he would have got Bob Smith, for he was in arm's length of him, but he was beat back by Tom Fredericks and the two Caseys. By this time the father of the Caseys came up, and the negroes arrested him and discharged my son.

JOHN ADDIS.

Mr. HAMILTON, recalled, says:

That he recognized Nat Frazier as having acted a very conspicuous part on Saturday night, and that he was also detailed on the guard to go after Bob Smith.

W. W. HAMILTON.

WILLIAM BURRELL, (colored,) sworn, says:

Was at Oak Grove academy on Saturday night last; saw nothing at all of the fight, and heard nothing of it till it was all over. Was down at Fred's house when the society met. I came up to the academy after it was all over. The first I heard of it, some one came to the door and whispered, and said, "Some one was fighting our men who were on guard." Then all broke out and ran towards the academy. I ran in that direction, too. When I got there Mr. W. Lay called me and asked me why I did not come and tell him this was going on. I told Mr. Lay I knew nothing about it, for I was shut up in the house. Mr. Lay said he would not have had it happen for nothing; said that boy was killed. I asked him "What boy?" He said, "Miles Hunnicutt." I asked him, "Where was he?" He said "There by the door." I went there and saw him lying there. That's all I know of the case. Mr. Lay and Mr. Hamilton called on me to speak for them; I did so, which made the colored people mad, and they talked about putting me up if I did not hush. It was Greene that talked about putting me up if I did not hush. From his cursing manner and from the tone of his voice I would say it was Greene. I am acquainted with Captain Dick Lewis. He said to me last Saturday night, "Burrell, mind what you are all about." I saw Mr. Lay and Mr. Hamilton; they were doing all they could to quell the riot. I saw standing in the direction of the Nix house Ben Reese, Sidney Baldwin, and a man from Wallhalla called Henry Calhoun. Was present when the officer ordered his sergeant to detail a guard to go after Bob Smith, and bring him dead or alive. I never heard any one say who shot the pistol which killed Miles Hunnicutt. To the best of my knowledge I think there were 30 or 40 men at our meeting. When I got to the academy the fighting was all over. What white men I saw were all for having peace. I was present when the white men I knew were ordered into the house. The rest I know nothing about. Heard Greene cursing a great deal, but if he uttered any threats he does not know it. I was present when they commenced taking the names down, but does not know the man who took the names. John Keith told me the next morning they had taken the names of the white men; he told me this at my house. At Mr. Lay's I heard that Greene had a son with him last Saturday night; the way I found it out was by hearing them call young Greene and old Greene. I was ordered away before the names were taken down, to the house where we had our meeting. John Keith said that he

was sorry that Miles was killed; that he was sorry for his father, and that Bob Smith was the cause of it. John Keith gave me no reasons why the names of the white men were taken down. Had a white man to read a Union League paper to us at our meeting—Alexander Bryce. Mr. Bryce only read the Union League paper to the meeting. After we were ordered back to the house Mr. Bryce left. I heard the pistol that was fired near the Union League meeting. There was no notice taken of it in the house. It was a quarter of an hour after the pistol was fired before anything was said about it in the house where we were; thinks he heard the second pistol fired; it seemed to be towards the blacksmith shop. There had been no disturbance at the meeting until after this time, but the disturbance took place immediately after.

WM. <sup>his</sup> × BURRELL.  
mark.

THOMAS L. LEWIS, sworn, says:

The death was caused by a ball shot from a gun or pistol. When I first came to see the boy that night (Saturday) the hole was in the shirt collar too. The wound was as nearly in the centre of the neck between head and shoulders as it could well be. In the post mortem examination which I made, I probed the ball to the spinous process, then cut down to the bones of the neck; found the bones of the neck broken, the ball severing the spinal chord, and passing obliquely to the left either into the throat or mouth, don't know which; it certainly went into the cavity of the one or the other. I could distinctly see the bullet-hole down to the spinous process; then with the probe I traced the ball through into the cavity. I can say beyond doubt, that the ball shot from the gun or pistol was the cause of the death of Miles Hunnicutt.

THOMAS L. LEWIS, M. D.

BEN. REESE, sworn, says:

Was at Oak Grove academy on Saturday night last. Went there a little after night. Went down to Fred's house. Part of the members of the league were at the house when I got there; a sufficient number to go into business was there—that is, to read matters of instruction for the society. I staid in the house till a certain paper was read. Mr. Bryce read the paper and then talked some about it, and explained. I stayed there till the officers of the society came, when they drove me out. I went towards the railroad, and sat on a rock. Staid there till the alarm was raised. Heard the report from some fire-arms, which was near the house where the meeting met. I staid on the rock. After a while I heard the command, "Halt," after the gun or pistol was shot. The word "Halt" was spoken near our club-house. I afterwards heard the report of a gun or pistol in the direction of the academy. I went right on to the academy. Miles Hunnicutt was killed when I got there. I saw Mr. Lay, Mr. Hamilton, Mr. Brown, and Mr. Harbin. They insisted to get where the body of deceased was lying. The black people were crowded around the body; perhaps some white people among them. The black people refused, or at least would not give way. At length the black people gave way, and the friends of deceased took him into the house. So far as I saw, the white people generally seemed to be the friends of peace; all were excited, white and black. 'Twas said that Robert Smith fired the first pistol, which raised the excitement. The colored people had broke off to try to catch Robert Smith before, as I think, the second pistol was fired. I don't know who gave the command for the white people to go into the academy.

Question. Did you hear any one order a sergeant to detail a guard to go after Bob Smith and bring him dead or alive?

Answer. I did hear such an order, but don't know who gave it, nor do I know who the sergeant was appointed to execute the order. I saw at Oak Grove academy, on Saturday last, Jim Keith, one Greene, formerly Greene Kilpatrick, Jackson, who used to belong to Kilpatrick, Clark, who used to belong to Kilpatrick, November, who used to belong to Samuel Maxwell, Old Simon, (the preacher,) belonged to Calhoun, Henry, formerly to A. P. Calhoun; Bill was also there, who belonged to George Cherry—George and his son Toney, and Yellow Billy; the three last belonged to J. E. Calhoun; Isaac at Keowee; Elias Kannady, (a preacher,) from Anderson; Cage Williams, from Widow Fredericks. I heard that Greene had a son there. I saw no black person trying to quell the people. Jim Keith was quiet, as far as I could see. Thinks he saw one or two guns in the hands of the colored people while he was near the academy. I think there were some 50 or 60 colored men on the ground, on Saturday night last, at Oak Grove. Understood that some of the guard near the clubhouse saw Bob Smith fire the pistol. When Burrell, a black man, attempted to use an influence so as to allow Mr. Lay and Mr. Hamilton to speak to their people, I heard some one say to him, "Hush up, or he would put him up;" can't tell who he was. Several colored people said that Bob Smith killed Miles Humnicutt. There was no whiskey at Oak Hill, on Saturday night, that I know of. I never heard the names of any black people who said that Bob Smith killed Miles Humnicutt, that I recollect of.

his  
BEN. X REESE.  
mark.

R. L. LEWIS, sworn, says:

I was at Oak Grove academy on Saturday, 12th October, 1867. About 9 o'clock p. m. a party of negroes came up close to the school-house where they were debating. After staying there a few minutes they whispered to each other and left. I said to Mr. Warren Davis at the time, that they must have been a committee of investigation, to see what the debating society was engaged in. Both pistols were fired after this movement of the negroes. They only staid a few minutes. I was in yard of academy all the time. Heard first pistol fire, and saw a man a few minutes afterwards running up from the course of the negro lodge, the negroes in pursnit, saying, "Catch him; arrest him." I think it was Bob Smith who was running from the negroes. Smith was some 30 yards in advance of the negroes as they ran after him. Smith came into the crowd by witness, and took position by him. Smith was asked in my presence, who was that shot in the direction of the club. He said it was the negroes shot at him. In a few minutes a squad of negroes came up to where I was, and said, "Arrest him; take him; there he is." Smith was near me at the time. The negroes saw him, and one of them took hold of him. He backed. I got out of the way, and don't know what became of Smith. I never saw him any more. About this time the fight commenced, and very shortly the pistol was fired which killed deceased. I saw the flash of the pistol, which was in a company of negroes. I have no doubt, from what I saw, that it was fired by a negro. Have no idea what negro killed Humnicutt. I saw William Burrell, John Bull, (who belonged to John S. Lorton,) and John Butler, who asked me which one of the boys was killed. I told him. I don't remember any others. I saw a man with a double-barrel gun—a negro. He was boisterous, saying, "Arrest them; tie them; damn them, tie them."

R. L. LEWIS.



NICHOLAS JACKSON, sworn, says:

I was at Oak Grove on Saturday, the 12th October instant. Not a full member of the lodge there; but expect to be. Don't know that any party was sent to the academy to ascertain what was doing there. Saw Smith shoot in the direction of the lodge. It was Bob Smith who shot, for he said so himself, and said with an oath that he would shoot again. He told John Keith so, in presence of December, a colored man living near Walhalla. I think I was about 30 yards from Robert Smith when he shot. I heard no one at the league say they were shot at, or that any one was shot at. After the pistol was fired I went straight on to the league. When I got there there was no white man there but A. Bryce, jr. Bob Smith, after firing the pistol, went on to the league, and got there about the time I did. Mr. Bryce was at the league. When I got there they were inquiring who shot. Did not hear Bryce say anything. When Bob Smith got to the house, he was ordered to halt. He made no stop; the order was then given to arrest him. Some of the league got between Smith and the house. Smith then started back towards the academy. Some of the colored people started after him. I then got over the fence and paid no further attention to him. I then staid at Uncle Fed. Garrett's until Sunday morning. Was not in the academy yard at any time Saturday night. Uncle Fed. Garrett stayed with me. Was in the house when Mr. Bryce read the paper. Did not hear the names of any of the officers of the Walhalla lodge. I saw at the league Charles Jackson and Johnson Jackson, who came after the affray; Ben Reese, William Burrell, John Butler, William Periy, Fed. Garrett, Wallace Henderson, Cage Williams, Alfred Guiton, Henry Brown, Peter Major, Osburn, John Legare, Sempa, Isaac Mazyck, John Milican, Bob Petigrew, Thomas Cherry, Bill Ravenel, Dandy Coaxum, Billy Holmes, \* David Singleton, John Keith, John Bull, James Keith, Dock Keith, Earle Berry, and Turner, from Keowee.

his  
NICHOLAS X JACKSON.  
mark.

JOHNSON WRIGHT, sworn, says:

Was at Oak Grove academy last Saturday night, 12th October instant, but it was late when I got there; after the affray was over. Went from home; went straight by the academy, to Nick's house. Did not stop at the academy when I first went along. I staid at Nick's about a quarter of an hour, then went back to the academy. Saw a good many there then; M. R. Hunnicutt and several other white people. I saw old Greene Cleveland, Nat Frazier, little Greene Cleveland, Dock, brother of Jim Keith, David Singleton, Jack Kilpatrick. I saw Clark, a brother of Greene Cleveland, and the rest, hereinafter named, when I went to the lodge: Jack Walker, Alleck, at A. J. Lowery's, John Kilpatrick, Ben Reese, William Burrell, James Keith, John Keith, Billy Holmes, Turner Wiggins, Jim and Chapman, Numa Vance, John Legare, John Milican. There was no white man in the lodge when I got there. Elias Kannady was there. Nick was at his house when I got there and when I came away. The league kept us there all night, that is a majority, and said they should not go until they had taken Bob Smith, the two Caseys, and Simpson. I went with them down to Mr. Simpson's. Think Tom Ben was the name of the person who had command Sunday morning. I went back from Simpson's to Addise's, and carried his son and another little boy to a gate leading into a tan-yard, there to wait till they came. I know nothing as to who killed Miles Hunnicutt. Nat Frazier asked me

\* This man, David Singleton, is the man who took the names of the white men in this riot.

if I had a pistol. I told him yes, but that it was out of order. He told me to get it anyhow, and I got it. Nat Frazier had a pistol.

JOHNSON WRIGHT.

JOHN GILBERT, sworn, says:

Was at Oak Grove last Saturday night, 12th October inst.; I know nothing as to the person who killed Miles Humnicutt; George Earle was at the league and had a pistol; John Keith had a gun; Dock had a shot-gun; I had a rock; Johuson had a pistol; Nat Frazier had a pistol; I think Pierce was there, but had no gun; I don't know the sergeant or the man who commanded on Sunday; there was a double-barrel gun in the crowd; I don't know who had it; Dock was at Colonel Livingston's Sunday night, but went away.

his  
JOHN X GILBERT.  
mark.

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*Testimony taken at the coroner's office, in continuation of the evidence in the case of the State of South Carolina against the dead body of Miles Humnicutt, this the 21st day of October, 1867.*

FREDERICK GARRETT, sworn, says:

I was at my house on Saturday night, the 12th inst., about 150 yards from Oak Grove academy. There was a Union League meeting at my house that night. Mr. Alexander Bryce was there; Mr. Bryce had a Union League paper, which he read to the meeting. This is all that I knew Bryce to do; Bryce read the paper before the alarm and before the death of young Humnicutt. Don't know whether Alexander Bryce held any office in the league; from what I learned, he belonged to the league, and he appeared to me to be as deeply interested in the proceedings of the league as any one else. I was standing about the middle of my house, and heard a gun or a pistol fire. After the report of the pistol, I heard the ball strike the house—that is my house; the league were in the house at the time, that is, all the members except the guard, and some who had come there to join. I did not see who fired the gun or pistol; from the report, I should think the person who fired was some 25 or 30 yards from the house. I am sure that I heard the report of the gun before I heard the ball strike the house. I did not see the ball, but saw a sign on the stripping about three feet from the ground; I do not know that the sign was made by a ball, but think it was. The proceedings of the meeting up to this time were not disturbed. Some three or four minutes after the gun was fired the guard came to the door and whispered to the head men of the league. James Keith was one of the head men, Greene Cleveland was another, David Singleton another, but I don't say or know whether the guard whispered to them or not; neither do I remember the name of any person to whom the guard did whisper. After this the business of the meeting proceeded for about 10 minutes, then the guard returned again to the door, and told the members of the league that they were firing on our guards up the hill, which was in the direction of the academy. Upon that information the head men of the league, whom I do not know, gave the order to go and arrest them and bring them in, dead or alive. I can't say who gave this order; think, from the tone of voice and from its direction, that Bryce said, "Go and bring him, and I will report him to Pickens jail." I don't know, however, that it was Bryce. Then all the leading men left the house, and started towards the academy. I was ordered to remain and take charge of the books, papers, &c., of the league, among which was a sword. This I did, and the sword never left the house until the next morning. I know that it was some of the head black ones who said

bring them in, dead or alive. John Bull was at the meeting, and is one of the head men of the league. Bryce was left at the house after the rest had left and gone towards the academy, and remained there until after we heard of the death of young Hunnicutt. He asked me to go after Mr. Lay, which I refused to do. Bryce remained in the house some 10 or 15 minutes after the head men had left the house, and then went off, and I saw him no more that night.

FREDERICK <sup>his</sup> × GARRETT.  
mark.

JACK WALKER, sworn, says:

I was at Fed's house at a Union League meeting on Saturday night, the 12th instant. I am a member of the league. I was standing guard, and leaning against the house I saw Bob Smith shoot a pistol. I was standing on the upper side of the house towards the academy. Bob Smith was standing about 25 or 30 steps from where I was, and shot in the direction of several black people who were standing below the house towards the road. The ball passed over the black people. I heard it cutting through the leaves; I can't say how far above them; some of the trees are high and some low. I was not with the persons over whom the ball passed, but went down to them immediately after the firing. Smith went too, and we both reached there about the same time. December Gadsden, the sergeant, ordered Bob Smith to halt. Bob halted. The sergeant then asked Bob what he meant by shooting. Bob replied that he would shoot when he damned pleased. The sergeant then called for more men. No more came. I think the sergeant then said, "take him," but I am not certain. Bob Smith started and ran towards the academy. Witness and John Keith ran after Bob Smith. I had no arms. Don't know whether John Keith had or not. We ran nearly to the shop after Bob Smith. The sergeant then ordered us back, and we went back. When we went back they had some five or six men ready to go after Smith. They went right on. John Keith, Nat Frazier, and little Greene Cleveland were of the party who went. Don't know the rest, and not certain about John Keith. The party went towards the academy. Very soon after they had time to get there I heard one gun fire, and a considerable noise. I heard Nat Frazier hollow, saying, "come on with more men; they have killed one of our men." I was then at the league house. Some 40 or 50 started as soon as they could towards the academy, some running, some walking. I soon followed. When I got to the academy I saw John Keith, who was quiet; Cap Dean quiet; little Greene Cleveland quiet; Jackson Henderson cursing; old Greene Cleveland doing nothing but talking about the little boy being killed; Clark, the president, standing up there; Isaac Brown doing nothing, besides many others. Miles Hunnicutt was shot when I got to the academy, but not dead. Deceased was lying close to the chimney corner in the yard; lots of both white and black standing around him. Some four or five of the black people seemed mad, and Jack Henderson, or Clark, the president of the league, one or the other, ordered all the white men who were there to go into the academy and stay there until they arrested Bob Smith, or until morning. Some of the white men went in, and some went off. Either David Singleton, Jackson Henderson, or the president Clark, ordered a guard of ten men to go after Bob Smith, and ordered the guard to take him dead or alive. When the order for ten men as a guard was given I went off, as I did not want to go. I am certain John Keith was one of the guard, also Dock Franklin, and think Nat Frazier was one. Dock Franklin is brother to James Keith. When the guard

started after Bob Smith, Dock Franklin had a gun, and I think some of the rest of the guard.

JACK <sup>his</sup> × WALKER.  
mark.

WILLIAM HOLMES, sworn, says:

I was at Fed Garrett's house on Saturday night, the 12th instant, when the Union League met there. I was not a member of the league. There was to have been a speech at the league that night, and I went to hear it. A man from Walhalla, I heard, was to make the speech. The speech was about closing when I got there, and I heard but a few words of it. I understood that Mr. Bryce was to make the speech. I don't know the man, nor do I know whether he made a speech, or only read something to the meeting. We were ordered to stay at the league house until the next morning to hunt the man who shot. I stayed according to orders which were given by some of the head men of the league. I did not know them. I was not at the academy during the night of Saturday. I was sitting outside the guard, some 25 yards from the league house, when the first pistol fired, which seemed to be near the door. I neither saw nor knew the man who fired the pistol. George Wiggins, Isaac Butler, Wilson Choice, Turner Wiggins, John Rivers, Amos Cummins, Fed Garrett, Nicholas, Simon Manager, Abraham Trimier, Isaac Mazyck, Ed. Lawrence, Tom Ben, were there. When I went to the league house after the second pistol was fired, a good many had left. I stayed there all night. Isaac Butler, Fed Garrett, Simon Manager, and I think Nicholas was there; the rest I don't remember seeing there. I heard nothing out of the way among those that stayed at the house. Tom Ben had a sword on Sunday, and walked outside of the ranks, and appeared to have some authority.

WILLIAM HOLMES.

ALECK BROWN, sworn, says:

I was at the meeting of the league on Saturday, the 12th instant, which took place near Oak Grove academy; I gave my name to become a member when I paid my dollar; I was in the house when the first pistol was said to have been fired; some one said in the house, "That was a pistol shot." That did not interrupt the meeting; after a while I heard the second pistol fire plain; I was then in the house; the pistol seemed to fire up towards where the white people had their meeting; I heard Nat Frazier hollow out some of our men were shot; I knew Nat Frazier's voice; Jackson Henderson, who is vice-president of the Union League, was in the house and said, "Go and take the men who killed our men, dead or alive." A great many went under this order; I don't remember who; I soon followed with others, but the fight was all over when I got to the academy; I saw Mr. Humnicutt, that is, Mr. M. R. Humnicutt, standing in the yard, close to his son, who was shot; they said the boy was dead; M. R. Humnicutt said to the negroes who were standing around and near the deceased, jawing and making a loud talk, "You have killed my son, now I want you to hush and go away." President Clark replied to M. R. Humnicutt, "If you don't hush we will arrest you." Jackson Henderson, the vice-president, who had his gun, said, "There is going to be war; I am now ready." Jackson Henderson and old Green Cleveland were the head men who ordered the white men into the house to arrest them; the white people went into the house; Henry Harbin, who had gone into the house, asked the crowd, "For Christ's sake let me come out and see my brother-in-law." They said they had no objection; this was either Green Cleveland or Jackson Henderson; James Keith

said about this time, "Have peace, gentlemen, have peace." David Singleton, who stutters, was the man who took down the names of the white men; I heard some one, but I don't know who, call out ten men as a guard to go after Bob Smith; December was the sergeant of the guard; was armed; Jack Walker was also on the guard; don't know that he had arms; December was dressed in a small round black hat, a red bosomed shirt, and a gray jean suit; Tom Ben, who was in the crowd on Sunday, had a sword, and was in command; I heard it said that it was Bob Smith who fired the pistol at the school-house; George Earl had a pistol on Sunday, so had John Keith a gun; General Sopho Bradley was at the school-house Saturday night, and was very ambitious; witness had no gun or weapon of any kind; General Sopho Bradley was also in the crowd on Sunday.

ALECK <sup>his</sup> × BROWN.  
mark.

ROBERT BRACKENRIDGE, sworn, says:

Was at the league house Saturday, October 12; was in the house sitting by the fire; supposes it was some nine or ten o'clock at night; heard the report of a gun or pistol; came out at the door and asked what was the matter; they said Bob Smith came up there and shot. This was reported in the house. Then they came out—that is, a good many of them. The question was asked, "Where was he?" The answer by December Gadsden was: he has run back up the hill. Some said go and bring him. Five of us went up there to get him, to wit: Bill Frazier, known as Nat Frazier, little Greene Cleveland, Captain Dean, John Keith, and Robert Brackenridge, the witness, went to the house where the white people were: asked where is the man who shot? This question was asked by Bill Frazier. No one answered as I heard. Then Bill Frazier took hold of a white man, saying, "Here is the man, take him." Then little Green Cleveland took hold of the white man. Then two white men, whom I do not know, jumped on little Green Cleveland. About that time old Green Cleveland came up, and I saw him having hold of a white man; they were in a struggle. Just before I saw old Green I started to help little Green: a white man shoved me back, and knocked my hat off. Knew no others who were fighting. Witness, December Gadsden, John Keith, Captain Dean, Dock, the brother of Jim Keith, and some three or four more were ordered by some person unknown to go after Bob Smith. We went. December Gadsden had command of us. I don't remember seeing any arms among the men who went after Smith. Witness had none. When we got to Mrs. Smith's house, the question was asked, "Where is Bob Smith?" I think the sergeant asked the question—not certain. The answer by Mrs. Smith was, that she did not know where he was, that he had gone to Pendleton that day. Captain Dean, witness, and John Keith, went into the house and searched it for Bob Smith, below and up stairs. We then returned to the house where the league met, and reported that Bob Smith was not at his mother's house. I saw Abraham Trimier, Ed. Lawrence, and Nix, also Ransom Trimier, Amos, Tom, Ben, and many others, at the league house. I was in the crowd who went round on Sunday morning. We went to hunt for Bob Smith.

ROBERT <sup>his</sup> × BRACKENRIDGE.  
mark.

THE STATE OF SOUTH CAROLINA, *Pickens District*:

An inquisition indented. Taken at Milton R. Hummcutt's, in Pickens district, on the fourteenth and fifteenth of October, anno Domini eighteen hundred and sixty-seven; and at the coroner's office, in Pickens

Court-house, in the State and district aforesaid, on the twenty-first and twenty-second days of the same month and year, before William J. Gantt, coroner, upon view of the body of Miles M. Hunnicutt, of Pickens district, in the State aforesaid, then and there being dead, by the oaths of 1st, R. S. Porcher, foreman; 2d, J. T. Liddell; 3d, J. A. Liddell; 4th, H. A. Leroy; 5th, Thomas Sheriff; 6th, F. P. McAlister; 7th, J. R. Snellgrove; 8th, T. G. Dillard; 9th, M. A. Brock; 10th, J. N. Hembree; 11th, J. F. Miller; J. C. Lewis; and 13th, John Adis; being a lawful jury of inquest. Who being charged and sworn to inquire for the State of South Carolina, where and by what means the said Miles M. Hunnicutt came to his death, upon their oaths do say that the said Miles M. Hunnicutt came to his death at Oak Grove academy, in Pickens district, and in the State of South Carolina, on Saturday night the twelfth instant, about ten o'clock post meridian, by a pistol shot wound in the back of the neck, midway between the head and the shoulders; which said wound was inflicted by a certain black man, unknown to the jurors by name; and that December Gadsden, Nat Frazier, little Green Cleveland, Capt. Dean, John Keith, Bob Breckenridge, Jack Walker, old Green Cleveland, Clarke, brother to Green Cleveland, James Keith, Dock Franklin, David Singleton, Clarke, president of the Walhalla Union League, Jackson Henderson, General Sopho Bradley, Alleck at Fort Hill, Isaac Mazyek, Tom Ben, and Isaac Brown, were present aiding and abetting the said black man, unknown by name, in inflicting the said wound, together with many other black men unknown to the jurors by name, who were also present aiding and abetting in inflicting the said wound. And so the jurors aforesaid, upon their oaths aforesaid, do therefore present, that the said black man, unknown by name, and the said December Gadsden, Nat. Frazier, little Green Cleveland, Captain Dean, John Keith, Bob Breckenridge, Jack Walker, old Green Cleveland, Clarke, brother of Green Cleveland, James Keith, Dock Franklin, David Singleton, Clarke, the president of the Walhalla Union League, Jackson Henderson, General Sopho Bradley, Alleck, at Fort Hill, Isaac Mazyek, Tom, Ben, and Isaac Brown, together with many other black men unknown by name to the jurors—the said Miles M. Hunnicutt, in the manner and form aforesaid, then and there feloniously and maliciously did kill and murder, against the peace and dignity of the same State aforesaid. In witness whereof I, William J. Gantt, coroner aforesaid, and the jurors aforesaid, to this inquisition have interchangeably put our hands and seals, this the twenty-second day of October, eighteen hundred and and sixty-seven.

WM. J. GANTT. [SEAL.]

*Coroner, Pickens District, S. C.*

RICH'D L. PORCHER. [SEAL.]

*Foreman of Inquest.*

J. T. LIDDELL. [SEAL.]

J. A. LIDDELL. [SEAL.]

H. A. LEROY. [SEAL.]

THOMAS SHERIFF. [SEAL.]

F. P. McALISTER. [SEAL.]

J. R. SNELLGROVE. [SEAL.]

T. G. DILLARD. [SEAL.]

M. A. BROCK. [SEAL.]

J. N. HEMBRE. [SEAL.]

JOHN F. MILLER. [SEAL.]

JOHN E. LEWIS. [SEAL.]

JOHN ADDIS. [SEAL.]

[Telegram dated Columbia, South Carolina, November 29, 1867.—Received at Charleston, November 29, 1867.]

SIR: I am satisfied that Nat. Frazier fired the pistol. Have written you to-day on the subject. Will commute the punishment of the other prisoners to a term of years in the penitentiary. Frazier is undoubtedly the man who fired the pistol. My letter will explain.

JAMES L. ORR, *Governor.*

General E. R. S. CANBY.

EXECUTIVE DEPARTMENT, SOUTH CAROLINA,  
*Columbia, November 29, 1867.*

SIR: I have since my arrival here received a letter from J. J. Norton, esq., one of the counsel of the six prisoners under sentence of death at Pickens Court House for the murder of young Hummcutt in October last, informing me that one of the number had disclosed the facts and named the party who fired the pistol that killed Hummcutt. The name of the murderer is Nat. Frazier; he borrowed the pistol from one George Wright just before starting to the school-house where the murder occurred, and returned it soon after the firing. George Wright is now in the penitentiary for participating in the riot. On the 27th instant, in company with United States Marshal Epping, I examined George Wright and seven others of the rioters, separate and apart from each other in the penitentiary. George admitted that he loaned the pistol to Nat. Frazier just before the latter went to the school-house where Hummcutt was killed. The two barrels of the pistol were loaded when loaned, and when Nat. returned the pistol to him one barrel had been discharged. The examination of the other persons by Mr. Epping and myself all went to confirm the fact that Frazier fired the pistol, and the whole investigation confirms the confession made in the jail by Jackson Henderson, to which reference is made in the beginning of this letter.

The conversation testified to by Sarah Calhoun, a prisoner, in the affidavit handed you with the report of the case, between December Gadsen and Captain Dean, has reference to another pistol borrowed by December from one Jim Keith the next morning, and Sarah Calhoun, from not hearing the whole conversation, misapprehended it. Captain Dean is in the penitentiary, and he detailed his conversation with December (overheard by Sally Calhoun) very minutely to me, which shows it was the pistol loaned by Jim Keith the next morning which was the subject of the conversation.

I shall go home to-morrow, and intend before the 6th of December to commute the death penalty to imprisonment for a term of years in the penitentiary for five, and to permit the sentence of death to be executed on Nat. Frazier alone.

I have the honor to be, general, very respectfully, your obedient servant,

JAMES L. ORR, *Governor.*

General CANBY,  
*Commanding Second District, &c.*

EXECUTIVE DEPARTMENT, SOUTH CAROLINA,  
*Anderson, December 3, 1867.*

SIR: I received on yesterday the written confession of Nat. Frazier, signed in presence of sheriff, Mr. Norton and Mr. Watkins, that he fired

the pistol which killed young Hunnicutt. One other of the prisoners, Jackson Henderson, disclosed the fact that Frazier fired the pistol, and his statement was fully confirmed by the examination of the rioters in the penitentiary by Marshal Epping and myself. One George Wright admitted to us that he loaned the pistol to Frazier just as he was starting in pursuit of Bob Smith, and that two of the barrels were loaded; that after Hunnicutt was shot it was returned to him, and one of the barrels had been discharged.

Frazier in his confession says the pistol he used belonged to George Wright, and that he returned the same to Wright.

It is therefore perfectly certain that he fired the fatal shot, and must expiate his offence. I have commuted the death penalty pronounced upon the other five convicted with Frazier; December Gadsden, five years at hard labor in penitentiary; Jackson Henderson and Jack Walker four years each; and John Keith and Green Cleveland, jr., two years each. I have measured the punishment according to the impression made in my mind of the comparative guilt of the parties, except that I have reduced Jackson Henderson to four years instead of five, because of his disclosure, which is the time I would have fixed, as I believe him equally guilty with December Gadsden. I have not respited Frazier, and he will be executed on the 6th instant.

I have the honor to be, general, very respectfully, your obedient servant,

JAMES L. ORR,  
*Governor of South Carolina.*

General E. R. S. CANBY,  
*Commanding Second District, &c.*

#### THE STATE OF SOUTH CAROLINA, *Pickens District:*

Personally came Alexander Bryce, sen., before me and made oath that on Friday, October 18, 1867, Alexander Bryce, jr., was arrested in the town of Wallhalla, in said district, and locked up in a room in the calaboose from a. m. until p. m. of that day some five or six hours. On the same evening deponent saw the said A. Bryce, jr., brought down the street tied to a black man called Jim Keith, who had rented a room of said A. Bryce, jr., for a shoe shop; they came on down to the Wallhalla Hotel, and there were two chairs on which they were seated, side by side, in the presence of a considerable crowd. Deponent applied to the sergeant to release said Bryce, jr., from the condition he was in, and he could make him safe in any way; he replied he was sent to help the sheriff, and after talking to the sheriff the said sergeant consented to said deponent's request. A. Bryce, jr., was taken to Pickens, yet tied to the negro, some seven hours before being loosed or untied from said negro.

ALEXANDER BRYCE, Jr.

Sworn to before me this 28th day of November, 1867.

NIMROD SULLIVAN,  
*Magistrate.*



THE STATE OF SOUTH CAROLINA, *Pickens District:*

Personally came Leander B. Johnson before me and made oath that on about the evening of the 18th day of October last, in the town of Walhalla, in said district, he was present with others at Walhalla Hotel when L. Thomas, sheriff, accompanied with some United States troops, had as prisoners Alexander Bryce, jr., and several negroes. The prisoners were tied with ropes, two and two. Alexander Bryce, jr., and Jim Keith (a black man) were tied together; they were stopped in front of the hotel and offered refreshments. This was in the early part of the afternoon.

The above named Jim Keith had rented a room of said Bryce, to occupy as a shoe shop. During this time Alexander Bryce, jr., showed deponent a note from Colonel Smith, commandant at Anderson, saying that said Bryce was not present at the Union League at Hunnicutt's crossing on the 12th of October as an officer of the society, but as an invited guest. "The charges upon which you were arrested on the 18th are in my opinion without foundation;" which was signed by Alfred T. Smith, brevet lieutenant Colonel United States army.

At the same time said Bryce remarked to said deponent that he was treated with injustice.

L. B. JOHNSON.

Sworn to before me this 30th day of November, 1867,

NIMROD SULLIVAN,  
*Magistrate.*

STATE OF SOUTH CAROLINA, *Anderson District:*

Personally appeared before me Milton R. Hunnicutt and makes oath that on Saturday night the 12th instant, in Pickens district, his son was murdered without the slightest provocation, as he is informed and believes, by certain persons connected with an association calling themselves a Union League. That upon being informed of the slaying of his son he repaired to the place, and upon reaching there found a large party of persons, white and black, engaged in a high state of excitement and tumult. That many of the colored persons were armed with deadly weapons, and one Green Cleveland drew a sword on this deponent and flourishing it over the head of this deponent with menacing language, thereby committing an assault on this deponent, and that one Elias Canady, armed with a stick, and two other colored persons unknown to this deponent, armed with guns, were immediately present aiding and abetting the said Green Cleveland in committing the said assault upon him. He also deposes that one Jim Keith was present aiding and abetting, and he is also informed and believes that the said persons, together with one Alexander Bryce, jr., and a great number of other unknown persons, were, if not principals, accessories before and after the fact to the murder of his son, whose name was Miles M. N. Hunnicutt, and who was only 14 years of age. He also deposes that the said persons were guilty of a riot and other high misdemeanors.

M. R. HUNNICUTT.

Sworn to and subscribed before me the 17th October, 1867.

JOSEPH N. BROWN,  
*Notary Public.*

I am also informed and believe that John Keith, one John who formerly belonged to John S. Lorton, Green Cleveland, jr., and Clark Cleveland were present participating in the aforesaid crime.

M. R. HUNNICUTT.

Sworn to 17th October, 1867, before me.

J. C. WHITFIELD,  
*Magistrate Anderson District.*

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*Warrant.*

(By J. C. Whitfield, esq., a magistrate for said State and district.)

THE STATE OF SOUTH CAROLINA, *Anderson District :*

To any lawful officer of the State: Whereas, Milton R. Hunnicutt has made oath that on Saturday night, the 12th instant, in Pickens district, his son was murdered without provocation, as he is informed and believes, by certain parties connected with an association calling themselves a Union League. That, upon being informed of the slaying of his son, he repaired to the place, and upon reaching there found a large party of persons, white and black, engaged in a high state of excitement and tumult. That many of the colored persons were armed with deadly weapons, and one Green Cleveland drew a sword on this deponent and flourishing it over the head of this deponent with menacing language, thereby committing an assault on this deponent; and that one Elias Canady, armed with a stick, and two other colored persons, unknown to this deponent, armed with guns, were immediately present, aiding and abetting the said Green Cleveland in committing the said assault upon him. He also deposes that one Jim Keith was present aiding and abetting, and he is also informed and believes that the said persons, together with one Alexander Bryce, jr., and a great number of other unknown persons, were, if not principals, accessories before and after the fact to the murder of his son, whose name was Miles M. N. Hunnicutt, and who was only 14 years of age. He also deposes that the said persons were guilty of a riot and other high misdemeanors.

These are therefore to command you forthwith to arrest the above named Green Cleveland, Elias Kennedy, Jim Keith, and Alex. Bryce, jr., and bring them before me or some other magistrate, to be dealt with according to law.

Given under my hand and seal this 17th day of October, 1867.

[SEAL.]

JOHN C. WHITFIELD,

*Magistrate Anderson District.*

He also swears, as he is informed and believes, that John Keith and John who formerly belonged to John S. Lawton, Green Cleveland, jr., and Clark Cleveland, were present, participating in the aforesaid crimes. These are therefore to command you to arrest the above-named persons and bring them before me or some other magistrate, to be dealt with according to law.

Given under my hand and seal this 17th day of October, 1867.

[SEAL.]

JOHN C. WHITFIELD,

*Magistrate Anderson District.*

Entered October 17, 1867.

WM. M. MCGUKIN,

*Sheriff Anderson District.*

Page 244. Entered in my office 18th of October, 1867.

L. THOMAS, *Sheriff Anderson District.*

## PICKENS COURT HOUSE, SOUTH CAROLINA,

October 18, 1867.

The within warrant was presented and endorsed by me this day and date.

W. C. KEITH,  
*Magistrate Pickens District.*

*Sheriff's returns.*

In my own person, I did on the 18th of October, 1867, arrest the within Green Cleveland, Jim. Keith, John Keith, A. Bryce, jr., Green Cleveland, jr., Clark Cleveland, and John formerly belonging to J. S. Lawton, all personally.

L. THOMAS,  
*Sheriff Pickens District.*

Entry.....	\$0 25
Arrests.....	10 50
Nine miles.....	4 85
Total.....	<u>15 60</u>

Service proven before me by L. Thomas.

J. E. HAGOOD, C. C. P.

*Affidavit.*SOUTH CAROLINA, *Pickens District:*

Personally appeared before me Milton R. Humnicutt, and makes oath in due form of law to the best of his knowledge that David Singleton, William Holmes, Dock Keith, John Butler, William Burrell, Osofa Bradley, Sidney Baldwin, Tom Ben, Frederick Garrett, Nicholas Jackson, Charles Jackson, Ned Singleton, Tom Cherry, William Cherry, Simpa Bennett, Isaac Mazyck, Robert Petigrew, John Walker, Dendy Koaxum, Pierce Purce Coady, George Earl, Alfred Guyton, ——— Berry, Jackson Henderson, December Maxwell, George Wright, Thomas Orr, and Earle Berry, and John and Nat Frazier, on the 12th day of October, in the year of our Lord, one thousand eight hundred and sixty-seven, at Oak Grove academy, near Humnicutt's crossing, in Pickens district and State aforesaid, did commit a murder on the person of one Miles M. N. Humnicutt by firing a pistol at and against the neck of the said Miles M. N. Humnicutt, and inflicting a wound of which he died soon after, on the day and year aforesaid, and that the said parties herein before named were present at the time and place aforesaid, aiding, abetting and assisting each other and others unknown in committing the murder herein before stated.

M. R. HUMNICUTT.

Sworn to before me this 18th day of October, in the year of our Lord, one thousand eight hundred and sixty-seven.

W. C. KEITH,  
*Magistrate Pickens District.*

*Warrant.*STATE OF SOUTH CAROLINA, *Pickens District* :*To any lawful officer :*

Whereas complaint on oath has been made before me, the undersigned magistrate, that David Singleton, William Holmes, Dock Keith, William Burrell, John Butler, Osofa Bradley, Sidney Baldwin, Tom Ben, Frederick Garrett, Nicholas Jackson, Charles Jackson, Ned Singleton, Tom Cherry, Bill Cherry, Simpa Bennett, Isaac Mazyck, Robert Petigrew, Jack Walther, Dendy Koaxum, Pierce Purce Coady, George Earle, Alfred Guyton, — Berry, December Maxwell, George Wright, Thomas Orr, Earle Berry, John and Nat Frazier, Jackson Henderson, did, on the 12 day of October, in the year of our Lord one thousand eight hundred and sixty-seven, at Oak Grove academy, near Humnicutt's, in Pickens district and State aforesaid, commit a murder on the person of Miles M. N. Humnicutt, by firing a pistol at and against the neck of Miles M. N. Humnicutt, and inflicting a wound of which he died on the same day. These are therefore to command you to arrest the said parties, herein before named, charged with murder as aforesaid, and bring them before me or the next magistrate, to be dealt with according to law.

Given under my hand at Pickens Court House the 18th day of October, A. D., 1867.

[SEAL.]

W. C. KEITH,  
*Magistrate Pickens District.*

Entered in my office 18th October, 1867, page 250.

L. THOMAS,  
*Sheriff Pickens District.*

By my special deputy, W. W. Hamilton, I did on the 19th and 20th of October, 1867, arrest 24 of the within defendants and after committed safely lodged them in jail.

L. THOMAS,  
*Sheriff Pickens District.*

Since proven before me by W. W. Hamilton.

J. E. HAGOOD, *C. C. P.*

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*Affidavit.*STATE OF SOUTH CAROLINA, *Pickens District* :

Personally appeared before me, J. B. Sanders, a magistrate of the said State, M. R. Humnicutt, who being duly sworn, says that Bob Breckenridge and Mark Adams did, at Oak Grove academy, in the district and State aforesaid, aid and abet in the murder of Miles Humnicutt.

M. R. HUMNICUTT.

J. B. SANDERS,  
*Magistrate Pickens District.*

*Warrant.*

(By J. B. Sanders, magistrate in and for the State.)

STATE OF SOUTH CAROLINA, *Pickens District* :

*To any lawful constable :*

Whereas complaint upon oath has been made unto me by M. R. Hunnicutt, in the district and State aforesaid, on the night of the 12th instant, Bob Breckenridge and Mark Adams were aiding and abetting in the murder of Miles Hunnicutt. These are, therefore, to command you to apprehend the said defendants, Bob Breckenridge and Mark Adams, and bring them before me, to be dealt with according to law.

Given under my hand and seal the 22d day of October, one thousand eight hundred and sixty-seven.

[SEAL.]

J. B. SANDERS, *M. P. D.*

Second Book, page 248. Entered 22d October, 1867.

L. THOMAS, *S. P. D.*

By my special deputy, J. W. Thomas, I did, on the 22d of October, 1867, arrests the within named Bob Breckenridge and Mark Adams, and them safely lodged in jail.

L. THOMAS, *S. P. D.*

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*Affidavits for arrest of witnesses.*

STATE OF SOUTH CAROLINA, *Pickens District* :

Personally comes before me, the undersigned magistrate, Milton R. Hunnicutt, who makes oath that William A. Lay, James Addis, Henry C. Harbin, John Harbin, William Brown, senior, William Brown, junior, Columbus Chastaire, Thomas Frederick, John Simpson, Samuel Gaillard, Richard Lewis, Fielding Lewis, John Davis, Warren Davis, Roland Casey, Walter Casey, Oliver Casey, Rowland Casey, William Mills, — White, Kelsey Miller, Joseph Emory, William Harbin, William Hamilton, Ben Reese, colored, Alexander Harleston, and J. W. King are natural witnesses on the part of the State in a bill of indictment for murder to be preferred against Green Cleveland, James Keith, Elias Kennedy, and others.

M. R. HUNNICUTT.

Sworn to before me this 18th October, 1867.

W. C. KEITH, *M. P. D.*

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*Warrant for arrest of witnesses.*

SOUTH CAROLINA, *Pickens District* :

*To any lawful officer :*

Whereas complaint on oath has been made before me, the undersigned magistrate, that William A. Lay, James Addis, Henry C. Harbin, John Harbin, William Brown, senior, William Brown,

junior, Columbus Chastaire, Thomas Fredericks, John Simpson, Samuel Gaillard, Richard Lewis, Fielding Lewis, John Davis, Warren Davis, Roland Casey, Walter Casey, Oliver Casey, Rhoderick Casey, William Mills, ——— White, Kelsey Miller, Joseph Emory, William Harbin, William Hamilton, Ben Reese, colored, Alexander Harleston, and G. W. King are material witnesses on the part of the State in an indictment to be preferred against Green Cleveland, James Keith, Elias Kennedy, and others. These are, therefore, to command you to arrest the said parties and bring them before me to be dealt with according to law.

Given under my hand 18th day of October, 1867.

[SEAL.]

W. C. KEITH, *M. P. D.*

Entered in my office 18th October, 1867. Page 250.

L. THOMAS, *S. P. D.*

By my special deputy, J. W. Thomas, I did, on the 21st of October, 1867, arrest the within named witnesses and them safely kept until they gave bond.

L. THOMAS, *S. P. D.*

THE STATE OF SOUTH CAROLINA, *Pickens District* :

Personally appeared before me J. E. Hagood, C. C. P. and *ex officio* a magistrate of the said State, M. R. Hunnicutt, who being duly sworn, says that Frank L. Maxwell and S. E. Maxwell are material witnesses for the prosecution of the case the State *vs.* December Gadsden and others.

M. R. HUNNICUTT.

Sworn to before me, October 23, 1867.

J. E. HAGOOD, *C. C. P.*

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*Warrant.*

(By J. E. Hagood, C. C. P. and *ex officio* a magistrate in and for the said State.)

THE STATE OF SOUTH CAROLINA, *Pickens District* :

*To any lawful constable:*

Whereas complaint upon oath has been made unto me by M. R. Hunnicutt, that Frank L. Maxwell and S. E. Maxwell, in the district and State aforesaid, are material witnesses in behalf of the prosecution in the case of the State *vs.* December Gadsden and others: These are, therefore, to command you to apprehend the said Frank L. Maxwell and S. E. Maxwell, and bring them before me to be dealt with according to law.

Given under my hand and seal 23d day of October, 1867.

[SEAL.]

J. E. HAGOOD,

*C. C. P. and ex officio Magistrate.*

Second Book, page 252. Entered 23d October, 1867.

L. THOMAS, *S. P. D.*

By my special deputy, S. F. Clary, I did, on 23d of October, 1867, arrest the within F. L. and S. E. Maxwell, and them safely kept until they gave bond.

L. THOMAS, *S. P. D.*

*Affidavit and warrants for defendant's witnesses.*STATE OF SOUTH CAROLINA, *Pickens District*:

Personally appeared before me, Alexander Bryce, jr., who being duly sworn, saith on oath that Clark Cleveland, Jack Henderson, John Reid, George Write, James Keith, John Keith, Isaac Brown, Perry Maxwell, Elias Kennedy, Captain Dean, December Gadsden, William Hunt, Charles Hunt, Green Cleveland, jr., Green Cleveland, sr., David Singleton, Henry Young, Mark Ransom, Jack Walker, Natt Frazier, Robert Brackenridge and Doctor Franklin, are material witnesses in this defence, the State *vs.* Alexander Bryce, jr., on indictment for murder.

ALEXANDER BRYCE, Jr.

Sworn to before me, October 20, 1867.

J. E. HAGOOD, *C. C. P. and G. S.*

(By J. E. Hagood, esq., C. C. P. and G. S., and *ex officio* a magistrate in and for the said State.)

THE STATE OF SOUTH CAROLINA, *Pickens District*:*To any lawful constable or sheriff:*

Whereas complaint, upon oath, has been made unto me by Alexander Bryce, jr., that Clark Cleveland, Jack Henderson, John Reid, George White, James Keith, John Keith, Isaac Brown, Perry Maxwell, Elias Kennedy, Captain Dean, December Gadsden, William Hunt, Charles Hunt, Green Cleveland, jr., Green Cleveland, sr., David Singleton, Henry Young, Mark Ransom, Jack Walker, Natt Frazier, Robert Brackenridge, and Doctor Franklin: These are, therefore, to command you to apprehend the said Clark Cleveland, Jack Henderson, John Reid, George Write, James Keith, John Keith, Isaac Brown, Perry Maxwell, Elias Kennedy, Captain Dean, December Gadsden, William Hunt, Charles Hunt, Green Cleveland, jr., Green Cleveland, sr., David Singleton, Henry Young, Mark Ransom, Jack Walker, Natt Frazier, and Robert Brackenridge, and Dr. Franklin, and bring them before me to be dealt with according to law.

Given under my hand and seal at Pickens Court House, this 20th day of October, one thousand eight hundred and sixty-seven.

[SEAL.]

J. E. HAGOOD, *C. C. P. and G. S.*

Second book, page 246. Entered 20th October, 1867.

L. THOMAS, *S. P. D.*

By my special deputy, J. W. Thomas, I did, on the 20th of October, 1867, arrest the within named defendants, and them safely kept until they gave bond.

L. THOMAS,

*Sheriff Pickens District.*THE STATE OF SOUTH CAROLINA, *Pickens District*:

Personally appeared before me, J. E. Hagood, C. C. P. and *ex officio* a magistrate of the said State, Alexander Bryce, jr., who being duly sworn says on oath, that William Gantt and William Burrell are material witnesses in this defence, the State *vs.* Alexander Bryce, jr., for murder.

A. BRYCE, JR.

Sworn to before me October 22, 1867.

J. E. HAGOOD, *C. C. P. and G. S.*

(By J. E. Hagood, magistrate in and for the said State.)

THE STATE OF SOUTH CAROLINA, *Pickens District*:

*To any lawful constable:*

Whereas complaint upon oath has been made unto me by Alexander Bryce, jr., that William Gantt and William Burrell are material witnesses in his defence the State *vs.* Alexander Bryce, jr., for murder: These are, therefore, to command you to apprehend the said defendants William Gantt and William Burrell, and bring them before me, to be dealt with according to law.

Given under my hand and seal the 22d of October, one thousand eight hundred and sixty-seven.

[SEAL.]

J. E. HAGOOD,  
*C. C. P. and Magistrate.*

Second Book, page 248. Entered 22d October, 1867.

L. THOMAS,  
*Sheriff Pickens District.*

In my own person I did, on the 22d day of October, 1867, arrest the within defendants William Gantt and William Burrell, and them safely kept until they gave bond.

L. THOMAS,  
*Sheriff Pickens District.*

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*Indictment.*

THE STATE OF SOUTH CAROLINA, *Pickens District, to wit:*

At a court of general session, begun and holden in and for the district of Pickens, in the State of South Carolina, at Pickens Court House, in the district and State aforesaid, on the third Monday in October, in the year of our Lord one thousand eight hundred and sixty-seven, the jurors of and for the district of Pickens aforesaid, in the State of South Carolina aforesaid, that is to say:

Upon their oath present, that December Gadsden, Green Cleveland, sr., Green Cleveland, jr., James Keith, John Keith, Jackson Henderson, Natt Frazier, Captain Dean, Bob Brackemridge, Mark Adams, Jack Walker, and Alexander Bryce, jr., not having the fear of God before their eyes, but being moved and seduced by the instigations of the devil, on the 12th day of October, in the year of our Lord one thousand eight hundred and sixty-seven, with force and arms at Pickens Court House, in the district and State aforesaid, in and upon one Miles M. N. Hunnicutt, in the peace of God and of the said State, then and there being feloniously, wilfully, and of their malice aforethought did make an assault, and that the said December Gadsden, a certain pistol of the value of five dollars then and there loaded and charged with gunpowder and one leaden bullet, (which pistol he, the said December Gadsden, in his right had then and there had and held,) to, against, and upon the said Miles M. N. Hunnicutt then and there feloniously, wilfully, and of his malice aforethought, did shoot and discharge; and that the said December Gadsden, with the leaden bullet aforesaid, out of the pistol aforesaid, then and there by force of the gunpowder and shot sent forth as aforesaid, the said Miles M. N. Hunnicutt, in and upon the left side of the neck of him, the said Miles M. N. Hunnicutt, then and there feloniously, wilfully, and of his malice aforethought, did strike, penetrate, and wound,



giving to the said Miles M. N. Hunnicutt then and there with the leaden bullet aforesaid, so as aforesaid shot, discharged and sent forth out of the pistol aforesaid, by the said December Gadsden, in and upon the left side of the neck of him, the said Miles M. N. Hunnicutt, one mortal wound, of the depth of six inches and breadth of half an inch, of which said mortal wound he, the said Miles M. N. Hunnicutt, then and there instantly died. And the jurors aforesaid, upon their oath aforesaid, do further present, that Green Cleveland, sr., Green Cleveland jr., James Keith, John Keith, Jackson Henderson, Nat Frazier, Captain Dean, Bob Brackenridge, Mark Adams, Jack Walker, and Alexander Bryce, jr., of the district and State aforesaid, feloniously were present, aiding, abetting, and assisting the said December Gadsden, the felony and murder aforesaid to do and commit.

And the jurors aforesaid, upon their oaths aforesaid, do say that the said December Gadsden, Green Cleveland, sr., Green Cleveland, jr., James Keith, John Keith, Jackson Henderson, Natt Frazier, Captain Dean, Bob Brackenridge, Mark Adams, Jack Walker, and Alexander Bryce, jr., the said Miles M. N. Hunnicutt, in manner and form aforesaid, feloniously, wilfully, and of their malice aforethought, did kill and murder, against the peace and dignity of the same State aforesaid. And jurors aforesaid, upon their oaths aforesaid, do further present, that December Gadsden, on the 12th day of October, in the year of our Lord one thousand eight hundred and sixty-seven, with force and arms at Pickens Court House, in the district and State aforesaid, in and upon Miles M. N. Hunnicutt, in the peace of God, and of the said State, then and there being feloniously, wilfully, and of his malice aforethought, did make an assault; and that the said December Gadsden, a certain pistol of the value of five dollars, then and there loaded and charged with gunpowder and one leaden bullet, (which pistol the said December Gadsden, in his right hand, then and there had and held,) to, against, and upon the said Miles M. N. Hunnicutt, then and there feloniously, wilfully, and with his malice aforethought, did shoot and discharge; and that the said December Gadsden, with the leaden bullet aforesaid, out of the pistol aforesaid, then and there, by force of the gunpowder and shot sent forth as aforesaid, the said Miles M. N. Hunnicutt, in and upon the neck of him, the said Miles M. N. Hunnicutt, then and there feloniously, wilfully, and with his malice aforethought, did strike, penetrate, and wound, given to the said Miles M. N. Hunnicutt, then and there with the leaden bullet aforesaid so as aforesaid, shot, discharged, and sent forth out of the pistol aforesaid, by the said December Gadsden, in and upon the neck of him the said Miles M. N. Hunnicutt, one mortal wound of the depth of six inches, and breadth of half an inch, of which said mortal wound he, the said Miles M. N. Hunnicutt, then and there instantly died. And the jurors aforesaid, upon their oath aforesaid, do further present, that Green Cleveland, sr., Green Cleveland, jr., James Keith, John Keith, Jackson Henderson, Natt Frazier, Captain Dean, Bob Brackenridge, Mark Adams, and Jack Walker, on the same day and year aforesaid, with force and arms at Pickens Court House, in the district and State aforesaid, feloniously were present aiding, abetting, and assisting the said December Gadsden, the felony and murder aforesaid to do and commit. And the jurors aforesaid, upon their oath aforesaid, do further present that Alexander Bryce, jr., late of the district and State aforesaid, before the said felony and murder was committed in form aforesaid, to wit, on the 12th day of October, in the year of our Lord one thousand eight hundred and sixty-seven, at Pickens Court House, in the district and State aforesaid, did feloniously and maliciously incite, move, procure,

aid, counsel, hire, and command the said December Gadsden, Green Cleveland, sr., Green Cleveland, jr., James Keith, John Keith, Jackson Henderson, Captain Dean, Bob Brackenridge, Mark Adams, Natt Frazier, and Jack Walker, the said felony and murder, in manner and form aforesaid, to do and commit; and so the jurors aforesaid, upon their oath as aforesaid, do say that the said December Gadsden, Green Cleveland, sr., Green Cleveland, jr., James Keith, John Keith, Jackson Henderson, Captain Dean, Bob Brackenridge, Mark Adams, Natt Frazier, Jack Walker, and Alexander Bryce, jr., the said Miles M. N. Hunnicutt, in manner and form aforesaid, feloniously, wilfully, and of their malice aforethought, did kill and murder, against the peace and dignity of the State aforesaid.

And the jurors aforesaid, upon their oaths aforesaid, do further present, that a certain person, unknown to the jurors by name, together with Green Cleveland, sr., Green Cleveland, jr., December Gadsden, James Keith, John Keith, Jackson Henderson, Nat Frazier, Captain Dean, Bob Brackenridge, Mark Adams, Jack Walker, and Alexander Bryce, jr., on the 12th day of October, in the year of our Lord 1867, with force and arms, at Pickens Court House, in the district and State aforesaid, in and upon one Miles M. N. Hunnicutt, in the peace of God, and of the said State, then and there being feloniously, wilfully, and of their malice aforethought, did make an assault; and that the said person, unknown to the jurors by name, a certain pistol of the value of \$5, then and there loaded and charged with gunpowder and one leaden bullet, (which pistol he, the said unknown person, in his right hand then and there had and held,) to, against and upon the said Miles M. N. Hunnicutt, then and there feloniously, wilfully, and of his malice aforethought did shoot and discharge, and that the said unknown person, with the leaden bullet aforesaid, out of the pistol aforesaid, then and there, by force of the gunpowder and shot, sent forth as aforesaid, the said Miles M. N. Hunnicutt, in and upon the left side of the neck of him, the said Miles M. N. Hunnicutt, then and there feloniously, wilfully, and of his malice aforethought, did strike, penetrate, and wound, giving to the said Miles M. N. Hunnicutt, then and there, with the leaden bullet aforesaid, so as aforesaid shot, discharged and sent forth out of the pistol aforesaid by the said person, unknown to the jurors, in and upon the left side of the neck of him, the said Miles M. N. Hunnicutt, one mortal wound of the depth of six inches and the breadth of half an inch; of which said mortal wound the said Miles M. N. Hunnicutt, then and there, instantly died.

And the jurors aforesaid, upon their oaths aforesaid, do further present, that the said Green Cleveland, sr., Green Cleveland, jr., December Gadsden, James Keith, John Keith, Jackson Henderson, Natt Frazier, Captain Dean, Bob Breckenridge, Mark Adams, Jack Walker, and Alexander Bryce, jr., late of the district and State aforesaid, on the day and year aforesaid, with force and arms, at Pickens Court House, in the district and State aforesaid, feloniously were present aiding, abetting, and assisting the said person, unknown to the jurors by name, the felony and murder aforesaid to do and commit. And so the jurors aforesaid, upon their oaths aforesaid, do say that the said person unknown to the jurors by name, Green Cleveland, sr., Green Cleveland, jr., December Gadsden, James Keith, John Keith, Jackson Henderson, Natt Frazier, Captain Dean, Bob Brackenridge, Mark Adams, Jack Walker, and Alexander Bryce, jr., the said Miles M. N. Hunnicutt, in manner and form aforesaid, feloniously, wilfully, and of their malice aforethought, did kill and murder, against the peace and dignity of the same State aforesaid.

And the jurors aforesaid, upon their oaths aforesaid, do further pre-

sent, that a certain person, unknown to the jurors by name, together with Green Cleveland, sr., Green Cleveland, jr., December Gadsden, James Keith, John Keith, Jackson Henderson, Captain Dean, Bob Breckenridge, Mark Adams, Natt Frazier, and Jack Walker, on the 12th day of October, in the year of our Lord 1867, with force and arms, at Pickens Court House, in the district and State aforesaid, in and upon one Miles M. N. Hunnicutt, in the peace of God and of the said State then and there being, feloniously, wilfully, and of their malice aforethought, did make an assault; and that the said person unknown to the jurors by name, a certain pistol of the value of \$5, then and there loaded and charged with gunpowder and one leaden bullet, (which said pistol the said person unknown, in his right hand then and there had and held,) to, against, and upon the said Miles M. N. Hunnicutt, then and there, feloniously, wilfully, and of his malice aforethought, did shoot and discharge; and that the said person unknown, with the leaden bullet aforesaid, out of the pistol aforesaid, then and there, by force of the gunpowder and shot sent forth, as aforesaid, the said Miles M. N. Hunnicutt, in and upon the left side of the neck of him the said Miles M. N. Hunnicutt, then and there, feloniously, wilfully, and of his malice aforethought, did strike, penetrate, and wound, given to the said Miles M. N. Hunnicutt, then and there, with the leaden bullet aforesaid, so as aforesaid shot, discharged and sent forth out of the pistol aforesaid by the said person unknown to the jurors, in and upon the said left side of the neck of the said Miles M. N. Hunnicutt, one mortal wound, of the depth of six inches and breadth half an inch, of which said mortal wound the said Miles M. N. Hunnicutt then and there instantly died.

And the jurors aforesaid, upon their oaths aforesaid, do further present, that Green Cleveland, sr., Green Cleveland, jr., December Gadsden, James Keith, John Keith, Jackson Henderson, Captain Dean, Bob Breckenridge, Mark Adams, Natt Frazer, and Jack Walker, on the day and year aforesaid, with force and arms, at Pickens Court House, in the district and State aforesaid, feloniously were present, aiding, abetting, and assisting the said person unknown to the jurors, and murder aforesaid to do and commit.

And the jurors aforesaid, upon their oaths aforesaid, do further present, that Alexander Bryce, jr., late of the district and State aforesaid, before the said felony and murder was committed in form aforesaid, to wit, on the 12th day of October, in the year of our Lord 1867, at Pickens Court House, in the district and State aforesaid, did feloniously and maliciously incite, move, procure aid, counsel him, and command the said person unknown to the jurors by name, Green Cleveland, sr., Green Cleveland, jr., December Gadsden, James Keith, John Keith, Captain Dean, Bob Breckenridge, Mark Adams, Jackson Henderson, Natt Frazier, and Jack Walker, the said felony and murder, in manner and form aforesaid, to do and commit.

And so the jurors aforesaid, upon their oaths aforesaid, do say that the said person unknown to them by name, Green Cleveland, jr., December Gadsden, James Keith, Green Cleveland, sr., John Keith, Jackson Henderson, Captain Dean, Bob Breckenridge, Mark Adams, Nat Frazier, and Jack Walker and Alexander Bryce, jr., the said Miles M. N. Hunnicutt, in manner and form aforesaid, feloniously, wilfully, and of their malice aforethought, did kill and murder, against the peace and dignity of the same State aforesaid.

J. P. REED, *Solicitor*.

True bill as to December Gadsden, Green Cleveland, jr., John Keith, Jackson Henderson, Nat Frazier, Jack Walker, Alex. Bryce, jr., Captain Dean, Bob Brackenridge, and Mark Adams. No bill as to Green Cleveland, sr., and James Keith.

W. B. WHITE, *Foreman*.

*Guilty* as to December Gadsden, Nat Frazier, John Keith, Jack Walker, Green Cleveland, jr., and Jackson Henderson.

*Not guilty* as to Alex. Bryce, jr., Captain Dean, Bob Brackenridge, and Mark Adams.

J. B. SANDERS, *Foreman*.

### *Sentence.*

That December Gadsden, John Keith, Green Cleveland, jr., Nat Frazier, Jack Walker, and Jackson Henderson, each to be taken to the common jail of Pickens district, there to be kept in close and safe custody until Friday, the 6th day of December next; and that on that said Friday, between the hours of 10 in the forenoon and 3 in the afternoon, they each be taken to the place of public execution in the district, and there to be hanged by the neck until his body be dead; and may God have mercy on their souls.

T. N. DAWKINS.

PICKENS COURT HOUSE, *October 26, 1867.*

### THE STATE OF SOUTH CAROLINA, PICKENS DISTRICT, *Office Court of Common Pleas and General Sessions:*

I, J. E. Hagood, clerk of the said court, do hereby certify, that the foregoing contains a true copy of the affidavits, warrants, sheriff's returns, and indictment, in the case *The State vs. December Gadsden, Green Cleveland, jr., Green Cleveland, sr., James Keith, John Keith, Jackson Henderson, Nat Frazer, Jack Walker, Alexander Bryce, jr., Captain Dean, Bob Brackenridge, and Mark Adams, for murder.* The original papers relating to the same now on file in my office.

Given under my hand and seal of said court, at clerk's office, Pickens Court House, the 27th day of October, 1867.

J. E. HAGOOD,  
*C. C. P. and G. S.*

### *Affidavit.*

#### STATE OF SOUTH CAROLINA, *Pickens District:*

Personally comes before me, the undersigned magistrate, John Simpson, who makes oath that Elias Kennedy, James Keith, John Keith, Green Cleveland, sr., Green Cleveland, jr., John Bull, David Singleton, William Holmes, Dock Keith, John Butler, Osofo Bradly, Sidney Baldwin, Tom Ben, Charles Jackson, John Jackson, Ned Jackson, Tom Cherry, Bill Cherry, Simpy Bennett, Isaac Mazyck, Robert Petigrew, Jack Walker, Dendy Roaxum, Pierce —, John Henderson, George Earle, Benjamin —,

December Maxwell, George Wright, Tom Orr, John —, Nat Frazier, Numa Maxwell, Dock Cleveland, Clarke Cleveland, Henry and Bill Berry, came to the house of this deponent on Sunday, the 13th day of October, A. D. 1867, about sunrise, armed with guns, swords, pistols, rocks, and sticks, and committed a riot and assault and battery on this deponent by making threats, and arresting violently this deponent, and taking him under guard from his house, and by their insurrectionary conduct terrifying the family of this deponent and the citizen neighbors.

his  
JOHN X SIMPSON.  
mark

Sworn to before me the 18th day of October, A. D. 1867.

W. C. KEITH,  
*Magistrate Pickens District.*

STATE OF SOUTH CAROLINA, *Pickens District :*

*To any lawful officer :*

Whereas complaint on oath has been made before the undersigned magistrate, that Elias Kennedy, James Keith, John Keith, Greene Cleveland, sr., Green Cleveland jr., John Bull, David Singleton, William Holmes, Dock Keith, John Butler, Osofo Bradley, Sidney Baldwin, Tom Ben, Charles Jackson, John Jackson, Ned Jackson, Tom Cherry, Bill Cherry, Simpy Bennett, Isaac Mazyck, Robert Petigrew, Jack Walker, Dendy Roaxum, Pierce —, George Earle, Benjamin —, December Maxwell, George Wright, Tom Orr, John —, Nat Frazier, Numa Maxwell, Dock Cleveland, Clarke Cleveland, Henry Berry and Bill Berry, did on the 13th day of October, A. D. 1867, at the house of one John Simpson, in Pickens district, and State aforesaid, commit a riot and assault and battery and with great show of arms, parade, and threats, were guilty of insurrectionary conduct: These are, therefore, to command you to admit the said Elias Kennedy, James Keith, John Keith, Green Cleveland, sr., Green Cleveland jr., John Bull, David Singleton, William Holmes, Dock Keith, John Butler, Osofo Bradley, Sidney Baldwin, Tom Ben, Charles Jackson, Ned Jackson, Tom Cherry, Bill Cherry, Simpy Bennett, Isaac Mazyck, Robert Petigrew, Jack Walker, Dendy Roaxum, Pierce —, George Earle, Benjamin —, December Maxwell, George Wright, Tom —, John —, Nat Frazier, Numa Maxwell, Dock Cleveland, Clarke Cleveland, Henry Berry and Bill Berry, charged as aforesaid and bring them before me, or the next magistrate to be dealt with according to law.

Given under my hand at Pickens Court House, October 18, A. D. 1867.

W. C. KEITH,  
*Magistrate Pickens District.*

By my special deputy, W. W. Hamilton, I did on the 19th and 20th of October, 1867, arrest the within named defendants, twenty (20) in number, and after committed safely, lodged them in jail.

L. THOMAS,  
*Sheriff Pickens District.*

Entered in my office October 18, 1867.

L. THOMAS,  
*Sheriff Pickens District.*

STATE OF SOUTH CAROLINA, *Pickens District*:

Personally appeared Milton R. Hunnicutt, and saith on oath that he has good reason to believe and doth verily believe that Peter Majors and James Wright were accomplices in the murder of his son Miles Hunnicutt, which murder was committed on the night of the 12th instant, and also that the said Peter Major and James Wright were engaged in a riotous proceeding, to the best of the said deponent's knowledge and belief.

M. R. HUNNICUTT.

Sworn to and subscribed before me, October 19, 1867.

J. B. SANDERS,  
*Magistrate Pickens District.*

STATE OF SOUTH CAROLINA, *Pickens District*:

*To any lawful constable:*

Whereas complaint on oath has been made to me by M. R. Hunnicutt, that he has good reasons to believe that Peter Majors and James Wright were accomplices in the murder of Miles Hunnicutt, and also in riotous proceedings, these are therefore to command you to arrest the said Peter Majors and James Wright and bring them before me, and the next magistrate, to be dealt with according to law. Herein fail not.

Given under my hand and seal October 19, A. D. 1867.

[SEAL.]

J. B. SANDERS,  
*Magistrate Pickens District.*

By my special deputy, W. W. Hamilton, I did on the 20th of October, 1867, arrest the within named and them safely lodged in jail.

L. THOMAS,  
*Sheriff Pickens District.*

Entered 19th October, 1867, Second Book, page 282.

L. THOMAS,  
*Sheriff Pickens District.*

STATE OF SOUTH CAROLINA, *Pickens District*:

Personally comes before me John Simpson and makes oath that John Addis, James Addis, Lemuel Keasley, Joseph Emory, and William Brown, jr., are material witnesses on the part of the State in a bill of indictment to be preferred against James Keith, Green Cleveland, Elias Kennedy and others for riot, &c.

JOHN <sup>his</sup> × SIMPSON.  
mark

Sworn to before me the 18th day of October, A. D. 1867.

W. C. KEITH.

SOUTH CAROLINA, *Pickens District*:

*To any lawful officer:*

Complaint having been made to me on oath that John Addis, James Addis, Lemuel Keasley, Joseph Emory, and William Brown jr., are material witnesses on the part of the State in an indictment to be preferred

against James Keith, Green Cleveland, Elias Kennedy and others for riot, &c. : These are, therefore, to command you to arrest the said John Addis, James Addis, Lemuel Keasley, Joseph Emory and William Brown, jr., and bring them before me to be dealt with according to law.

Given under my hand at Pickens Court House, 18th October, A. D. 1867.

W. C. KEITH,  
*Magistrate Pickens District.*

Entered in my office 18th October, 1867.

L. THOMAS,  
*Sheriff Pickens District.*

By my special deputy, J. W. Thomas, I did, on 21st October, 1867, arrest the within named persons, and them safely kept until they gave bond.

L. THOMAS,  
*Sheriff Pickens District.*

STATE OF SOUTH CAROLINA, *Pickens District :*

Personally appeared W. A. Lay, who, after being duly sworn, deposes and saith that he has good reason to believe, and also has heard confession from the persons hereinafter named, that they—that is to say, Cage Williams, Stafford Grant, John Williams, Tony Grant, Benson Kilpatrick, Jo Ben Jackson, Alex. Williams, and Bird Kilpatrick, were accomplices in the murder of Miles Hunnicutt on the 12th instant; and also, that they were engaged in riotous and other insurrectionary conduct on the time and place where the murder was committed.

W. A. LAY.

Sworn to and subscribed July 19, 1867.

J. B. SANDERS,  
*Magistrate Pickens District.*

STATE OF SOUTH CAROLINA, *Pickens District :*

*To any lawful officer :*

Whereas complaint has been made to me by W. A. Lay, that the above-named persons were engaged as set forth in the above affidavit, you are hereby commanded to arrest the said persons named in the affidavit, and bring them before me, or the next magistrate, to be dealt with according to law.

Given under my hand and seal October 19, 1867.

J. B. SANDERS, [SEAL.]  
*Magistrate Pickens District.*

Entered 19th October, 1867, Second Book, page 252.

L. THOMAS,  
*Sheriff Pickens District.*

By my special deputy, W. W. Hamilton, I did, on 21st October, 1867, arrest the within named parties, and them safely kept.

L. THOMAS,  
*Sheriff Pickens District.*

(By J. E. Hagood, county clerk Pickens, and *ex officio* magistrate in and for the said State.)

THE STATE OF SOUTH CAROLINA, *Pickens District*:

*To any lawful constable:*

Whereas complaint upon oath has been made unto me by M. R. Hunnicutt that George W. King is a material witness in the prosecution of the State *vs.* General Suffield Bradley *et al.* for riot, assault and battery, and false imprisonment: These are, therefore, to command you to apprehend the said defendant, George W. King, and bring him before me to be dealt with according to law.

Given under my hand and seal the 23d day of October, 1867.

[SEAL.]

J. E. HAGOOD,

*C. C. P. and ex officio Magistrate.*

*Affidavit.*

THE STATE OF SOUTH CAROLINA, *Pickens District*:

Personally appeared before me, J. E. Hagood, clerk county Pickens and *ex officio* a magistrate of the said State, M. R. Hunnicutt, who being duly sworn, says on oath that George W. King is a material witness in the prosecution of the case The State *vs.* General Sofold Bradley *et al.* for riot, assault and battery, and false imprisonment.

M. R. HUNNICUTT.

Sworn to before me October 28, 1867.

J. E. HAGOOD,

*C. C. P. and G. S.*

Entered 23d October, 1867, Second Book, page 252.

L. THOMAS,

*Sheriff Pickens District.*

By my special deputy, W. W. Hamilton, I did, on 23d October, 1867, arrest the within G. W. King, and him safely kept until he gave bond.

L. THOMAS,

*Sheriff Pickens District.*

*Order of court.*

THE STATE

*vs.*

GENERAL SOPHO BRADLEY *et al.*

} True bill returned by the grand jury.

On motion of S. P. Reed, solicitor, it is ordered that he have leave to withdraw this bill, with the view of inserting other names and recommending it to the grand jury.

T. N. DAWKINS.

OCTOBER 24, 1867.

(NOTE.—After obtaining the above order, the name of Alexander Bryce *et al.* were inserted in the indictment.)



*Indictment.*

STATE OF SOUTH CAROLINA, *Pickens District, to wit:*

At a court of sessions, begun to be holden in and for the district of Pickens, in the State of South Carolina, at Pickens Court House, in the district and State aforesaid, on the 3d Monday in October, in the year of our Lord one thousand eight hundred and sixty-seven, the jurors of and for the district of Pickens aforesaid, in the State of South Carolina aforesaid, that is to say, upon their oaths, present, that General Sopho Bradley, Green Cleveland, sr., Charles Jackson, John Butler, James Keith, Doctor Franklin, John Reed, Clark Cleveland, Elias Kennedy, Alexander Robinson, Thomas Orr, David Singleton, Simpa Burnett, Bird Kilpatrick, Isaac Mazyck, John Gilbert, Isaac Brown, John Mazyck, Peter Major, Robert Petigrew, Numa Vance, and Lewis Young and Alexander Bryce, jr., on the 12th day of October, in the year of our Lord one thousand eight hundred and sixty-seven, at Oak Grove academy, that is to say, at Pickens Court House, in the district and State aforesaid, with force and arms, to wit: with guns, pistols, swords, and other offensive weapons, unlawfully, riotously, wantonly, and tumultuously, did assemble and gather together to disturb the public peace, and, being so then and there assembled and gathered together, did then and there make great noise, riot, tumult and disturbance, and then and there unlawfully, riotously, wantonly, and tumultuously, did remain and continue together for a long space of time, to wit, for six hours then next following, to the great terror and disturbance of all persons there being; and then and there also in and upon one William A. Lay, William I. Brown, M. C. Harbin, William W. Hamilton, and T. M. Fredericks, in the peace of God and of this State, there are being, did make an assault on them the said William A. Lay, William I. Brown, M. C. Harbin, W. W. Hamilton, T. M. Fredericks, then and there, unlawfully and against their will, and against the laws of the State of South Carolina, and without any legal warrant or authority, or reasonable or justifiable cause whatsoever, did imprison, and detain so imprisoned there for a long space of time, to wit, for the space of two hours then next ensuing, and other wrongs to the said William A. Lay, William I. Brown, M. C. Harbin, William W. Hamilton, and T. M. Fredericks, then and there did, to their great damage, and against the peace and dignity of the same State aforesaid.

I. P. REED, *Solicitor.*

True bill.

W. B. WHITE, *Foreman.*

*Nol. pros.* as to Sempa Bennett, Bird Kilpatrick, Isaac Mazyck, Peter Major, Robert Petigrew, Numa Vance, Micajah Williams.

I. P. REED, *Solicitor.*

*Guilty* as to Elias Kennedy, Green Cleveland, sr., Clark Cleveland, General Osofa Bradley, John Butler, James Keith, Thomas Orr, David Singleton, Isaac Brown.

*Not guilty* as to Alexander Bryce, jr., Charles Jackson, Doctor Franklin, John Reed, Alexander Robinson, John Gilbert, Lewis Young.

J. B. SANDERS, *Foreman.*

*Sentence.*

THE STATE	}	Indictment for riot, assault and battery, and false imprisonment.
<i>vs.</i> ELIAS KENNEDY <i>et al.</i>		

The sentence of the law is that Elias Kennedy pay a fine of three hundred dollars, or be imprisoned in penitentiary 12 months. Green Cleveland, sr., to be imprisoned 12 months in penitentiary; Clark Cleveland to be imprisoned in penitentiary 12 months. General Osofo Bradley, 12 months; John Butler, 12 months; James Keith, 12 months; Thomas Orr, 12 months; David Singleton, 12 months; Isaac Brown to pay a fine of three hundred dollars in one month, or be imprisoned in penitentiary 12 months; each in the penitentiary, and pay a fine of five dollars each.

T. N. DAWKINS.

OCTOBER 26, 1867.

THE STATE OF SOUTH CAROLINA, PICKENS DISTRICT,  
Office Court of Common Pleas and General Sessions :

I, J. E. Hagood, clerk of the said court, do hereby certify that the foregoing contains a true copy of the affidavits, warrants, and indictment and sentence in the case *The State vs. Elias Kennedy, Green Cleveland, et al.*, for indictment for riot, assault and battery, and false imprisonment; the original papers now remaining in my office.

Given under my hand and seal of said court, at clerk's office, Pickens Court House, the 27th day of November, 1867.

J. E. HAGOOD,  
*C. C. P. and G. S.*

WALHALLA, *December 4, 1867.*

DEAR SIR: I received your note bearing date November 11, in which you gave me notice that you should have an interview with the general in the case relating to myself. Enclosed I send you documents, affidavits, &c., giving a concise statement of the affair, how I have been unjustly treated in the unjust arrest and treatment by way of exposure; besides, that which you will note held forth in the affidavits I send, I am able to prove by D. Biemann and F. A. Riley, as you will notice in their respective statements.

I hope, sir, you will present the whole matter, with all of its bearings, fully before the general, as I think you are aware of the deep founded prejudice existing against me for the active part I have ever taken, as in the case of the unfortunate Furman.

Please inform me, and should it be necessary, I will come down to Charleston immediately, and, sir, I will be willing to compensate you for anything you may do in my behalf.

Very respectfully, yours, &c.,

A. BRYCE, JR.

MR. N. G. PARKER.

N. B.—I will send a document of my character during the war.

THE STATE OF SOUTH CAROLINA, *Pickens District*:

Personally appeared before me, Lemuel Thomas, sheriff of Pickens district, who, being duly sworn, saith, on oath, that a warrant was issued by John C. Whitfield, magistrate for Anderson district, and endorsed by William C. Keith, one of the magistrates for Pickens, issued on or about the 17th day of October, 1867, and placed in my hands, requiring me to arrest Alexander Bryce, jr., and others, upon a charge of murder. Upon this warrant Alexander Bryce, jr., and seven negroes included in it, were arrested at Walhalla, and, as they were arrested by me, they were placed in the guard-house of the town of Walhalla for safety until others in the vicinity could be arrested, when we were ready to return to Pickens Court House. It was, after consultation with the sergeant of guard of the United States troops, and others, deemed advisable to tie two prisoners together; this course was thought absolutely necessary, as I only had three special deputies with me, and had to bring eight prisoners thirteen miles after dark, through a broken, hilly, thinly settled country. As Alexander Bryce, jr., was the only white man among the prisoners, it became necessary to tie him to one of the negroes; he was thus placed in a wagon, and brought to the court-house. Immediately on his arrival there he was untied and permitted to walk about in the clerk's office until the order for his commitment could be procured; he was then taken to the jail and turned in the entry of the prison, where he remained alone until he was removed, by order of the solicitor, to the debtor's room, and was again confined there alone until his trial. From the time of his arrest up to his release he was treated with the utmost kindness and respect, as far as it was possible, consistently with his safe-keeping. At the time of his arrest at Walhalla, the country was in a great state of excitement, and we were apprehensive that a *rescue* might be attempted before we reached the court-house; hence it was highly important that we should have the prisoners, charged with so grave an offence, in a situation to give us as little trouble as possible should a rescue been attempted. He further swears that his custom has been, since he has been in office, to tie prisoners, especially when arrested on a charge of murder.

LEMUEL THOMAS.

Sworn to before me, November 27, 1867.

J. E. HAGOOD,  
C. C. P. and G. S.THE STATE OF SOUTH CAROLINA, *Pickens District*:

Personally came Charles W. Hunt before me, and made oath that, on the evening of 12th instant, Alexander Bryce, jr., passed by the deponent's house, in company with the deponent's brother, William H. H. Hunt, halting, without getting down, long enough to make arrangements with this deponent to go with them fox hunting, after the meetings of the debating society and Union League in that neighborhood should have been attended as long as was agreeable to the parties. Bryce said he and William A. Lay were going to make speeches to the blacks at Humentt's Crossing. Deponent followed Bryce and his brother very soon, and found them at the school-house, where the debating society met. Bryce soon after left deponent and his brother aforesaid, who are his brothers-in-law, at the debating society room as, he said, to make his speech to the blacks. Some two hours after this, deponent was standing in the yard with a number of other persons, and heard the negroes say.

in a loud, excited manner, "Take him dead or alive," and saw them charging up the hill, not exactly in the direction of the school-house, some eight or ten in front and many others scattered behind; they soon changed their direction toward the school-house, and then this deponent ran off and concealed himself out of sight of the school-house, and so far off that he could not distinguish the noise made there. The deponent, while running, heard a pistol fire in the direction of the school-house, which was the only one he recollected to have heard that night. After deponent had been gone from the school-house some quarter or half hour, as well as he could in the excitement note the passage of time, the tumult subsided, and deponent and his said brother, who was with him, returned there to get their horses, (Bryce's and W. H. H. Hunt's; deponent had none there,) and mounted to start off, when they were arrested and carried down to the league room, where they found their brother-in-law, Alexander Bryce, jr.; then went off towards home, struck a track, and had a short race as they went. Deponent left many, he presumes all, of the negroes in and about the league room, and between there and the school-house. Deponent saw nothing wrong in Bryce that night.

C. W. HUNT.

Sworn to and subscribed before me, 19th of October, 1867.

J. J. NORTON,  
N. P., P. D., S. C.

William H. H. Hunt came before me, and, on oath, corroborates fully the foregoing affidavit, except that he only heard the negroes say, "Take him," as they were charging up; and adds, that the said Bryce went from his house that evening and went with him home that night, and staid until the next morning at 8 or 9 o'clock. Deponent saw nor heard anything to connect said Bryce in any way with the murderers of the lad Hunnicutt that night.

W. H. H. HUNT.

Sworn to and subscribed before me, 19th of October, 1867.

J. J. NORTON,  
N. P., P. D., S. C.

[Copy of endorsement.]

HEADQUARTERS MILITARY POST OF ANDERSON,  
*Anderson Court House, S. C., November 30, 1867.*

Respectfully returned to Lieutenant Louis V. Caziare, acting assistant adjutant general second military district.

Mr. Alexander Bryce, jr., attended, on the night of the 12th of October, 1867, a meeting of negroes near Hunnicutt's Crossing, in Pickens district. The meeting was disturbed by a drunken white man, who was followed by the negroes to a school-house in which a meeting of whites was being held.

The negroes attacked the whites, and a white boy named Hunnicutt was killed, and several whites were arrested by the negroes. The next day the negroes marched around the settlement, arresting whites and threatening war against them. Mr. A. Bryce, jr., could have controlled the negroes, and, by that means, prevented the murder and riot, but he made no effort to do so. He went to Hunnicutt's Crossing to meet the negroes, and he was, I believe, the only white man present. Bryce's reputation is very bad, and his associations are low. I have questioned both Unionists and ex-rebels regarding his character, and the sum and substance of their testimony is that he is a scoundrel.

It is my opinion that the sheriff of Pickens district was perfectly right in tying his prisoners; he had but a small force to guard them, and the people of the district were in a state of great excitement. The charge upon which I arrested Mr. Bryce was entirely different from that upon which the civil authorities arrested him.

I arrested him under the supposition that he was the presiding officer of the negro meeting, and that it was by his order that armed sentinels were stationed around the house in which the meeting was held. Upon investigation I was convinced that Bryce was not an officer of the meeting, and I therefore discharged him.

I have the honor to enclose copies of the affidavits, warrants, and indictments, &c., against Alexander Bryce, jr., and others, and also an affidavit of the sheriff of Pickens district, which will explain the cause and manner of Mr. Bryce's arrest.

ALFRED T. SMITH,

*Capt. 8th Inf., and Bvt. Lieut. Col. U. S. A., Com'dg Post.*

#### HEADQUARTERS MILITARY POST OF COLUMBIA,

*December 13, 1867.*

Received of Mr. John B. Hubbard (detective) one prisoner, named Robert Smith, held subject to orders from the headquarters military district, &c., &c.

H. B. REED, Jr.,

*First Lieut. 5th Art., Bvt. Lieut. Col. U. S. A., Post Adjt.*

#### THE STATE OF SOUTH CAROLINA, *Pickens District:*

This is to certify unto all whom it may concern, that I have known Alexander Bryce, jr., from his boyhood, having resided part of the time in the same village; that during the late war between the Confederate States and the United States I was, from November, 1863, to February 7, 1865, enrolling officer for Pickens district, South Carolina. When I came into office I found orders to arrest said Bryce and send him to Columbia to be put into service. Knowing the man I confided in his promises and paroled him to appear in Columbia at the time appointed, and he did not deceive me. Being very shrewd, and determined not to enter the army of the Confederate States, he was frequently reported, and had made an inveterate enemy of my immediate superior, who several times gave me orders to arrest him, &c., as above, and I as often sent him upon his parole, without ever once having been deceived by him, but he always returned with some contract, or other cause for detail or exemption. He not only evaded service himself, but kept several of his friends and relatives out of the army also, although he and they were able-bodied young men, and I discharged my duty faithfully to the Confederate States. I have considerable dealings with him, and he has always been fair and honorable therein.

JOSEPH J. NORTON.

DECEMBER 16, 1867.

#### STATE OF SOUTH CAROLINA, *Pickens District:*

Personally appeared before me Marcus Grant, who, being duly sworn, deposes and says that he is knowing to the fact that Robert Smith was

in possession of a five-shooter, the ramrod of which was broken, but no deficiency in the pistol, for said deponent had frequently used it by shooting the same. Deponent further says that he distinctly heard said Smith say that he would go to the meeting at Hunnicutt's Crossing, and would break up the damned meeting in spite of hell.

Deponent being living at the same place with said Smith, and having all opportunities of hearing and learning the facts as above stated.

MARCUS <sup>his</sup> × GRANT.  
mark.

Sworn to before me, this 16th day of December, 1867.

NIMROD SULLIVAN,  
*Magistrate.*

STATE OF SOUTH CAROLINA, *Pickens District:*

Personally appeared before me Frederick Garrett and made oath that he was present in October last at the time of the Union League meeting at Hunnicutt's Crossing, A. Boyce, junior, being also present. Said deponent says he did not hear said Boyce say anything tending to disorder; he said he wished the meeting detained that Mr. W. A. Lay might attend as was expected. Said deponent further stated that the day after said deponent was sworn and examined in court, in October last, the solicitor remarked to him: "Fed, you did not come up to the mark." Deponent does not know what mark was meant; but says he replied that he came as near stating the truth as he possibly could.

FREDERICK <sup>his</sup> × GARRETT.  
mark.

Sworn to before me this 16th day of December, 1867.

NIMROD SULLIVAN,  
*Magistrate.*

STATE OF SOUTH CAROLINA, *Pickens District:*

Personally appeared before me Nicholson Jackson, who made oath that he was at Hunnicutt's Crossing, in the said district, on the night of the 12th of October last, (the time that young Hunnicutt was killed.) Said deponent further states that he lives near the school-house, and some time after dark he left the league house and went to his house to get his supper, and on his return to the house where the league met, near a shop between the school-house and league house, Robert Smith came out of the school-house, where a debating society had met, and passed him, going in the direction of the league house; that said deponent and Robert Smith arrived at the fence near the house where the league had met; said Smith presented his pistol towards the house and fired, and afterwards went up into the crowd. The guard asked who shot. Smith answered that he shot, and that he would shoot where he damn pleased. The guard called to the people in the house to know what to do. The people in the house gave orders to arrest Smith, as they were there peaceably. Then Smith broke and ran in the direction of the school-house, where the debating society were. The guard followed him, and a short time after this deponent heard a shot fired which sounded like the very same pistol that said Smith fired at or near the league house. After the second fire one of the guard came back and hallooed, and said: "Men! you are all down here, and one of our men is killed, and what

shall we do?" Then a portion of the crowd went up to see, and after the crowd returned it was rumored that Smith had killed Hunnicutt's son, and they were sorry for the accident that had happened. Some time in the night, between midnight and day, a double-barrel shot-gun went off in the hands of Nat. Frazier, accidentally, by letting down the hammer. James Keith said: "How was that done? I don't allow it. If done on purpose I will take him off the guard and punish him." The answer was: "It was accidental." This gun went off at the league house, and the gun belonged to the man who lived in the league house.

NICHOLSON <sup>his</sup> × JACKSON.  
mark.

Sworn to before me this 16th day of December, 1867.

NIMROD SULLIVAN, *Magistrate.*

PICKENS COURT HOUSE, SOUTH CAROLINA,  
*December 3, 1867.*

This is to certify that an inquisition was taken at Milton R. Hunnicutt's, in Pickens district, South Carolina, on the 14th and 15th days of October, 1867, and at the coroner's office in Pickens Court House, in the same State, on the 21st and 22d days of the same month and year, upon view of the dead body of Miles M. Hunnicutt, and that Alexander Bryce, jr., is not included in the finding of the jury in the said case. I further state that I became acquainted with the said Alexander Bryce, jr., before he was grown; that I have had transactions with him since he attained to manhood, both professional and social, and that so far as my personal intercourse with him is concerned, I have found him liberal and clever.

W. I. GANTT,  
*Coroner of Pickens District, S. C.*

STATE OF SOUTH CAROLINA, *Pickens District:*

Personally appeared before me Nicholson Jackson, who made oath, that in October last, at the time of the meeting of the Union League at Hunnicutt's Crossing, said deponent was present and heard nothing said by A. Bryce, jr., on that occasion but what had a tendency to order and quietness. Said Bryce had the meeting detained awhile that Mr. W. A. Lay might have time to arrive and make his speech, he, Lay, having agreed to attend. The place belonged to said Lay. Said Bryce was desirous to see Mr. Lay present, that he might assist in observing order.

NICHOLSON <sup>his</sup> × JACKSON.  
mark.

Sworn to before me this 16th day of December, 1867.

NIMROD SULLIVAN, *Magistrate.*

WALHALLA, SOUTH CAROLINA, *December 16, 1867.*

DEAR SIR: I am well acquainted with A. Bryce, jr., whom I know to be a man of good character. I am well aware that he has ever been a good Union man. In the time of war I could always divulge sentiments confidentially to said Bryce, I being a Union man myself.

There has been all the time a party arrayed against steadfast Union men, and men disposed to criticise on their conduct; hence, one cause, in my opinion, of the late difficulty. I do certify that I saw said Bryce previously to the Union League meeting. Said Bryce remarked that W. A. Lay would address the meeting, and that he, Bryce, would also make a speech, and wished me also to attend. I saw the colored people passing on to said meeting unarmed, without any apparent show of any intention of behaving otherwise than strictly according to the rules of propriety.

Very respectfully, &c.,

W. F. PARKER,  
JOHN M. GILLISON,

*Registrars of the Second Registration Precinct,  
Pickens District, South Carolina.*

Brevet Major General E. W. HINKS, U. S. A.,  
*Provost Marshal Gen'l Second Mil'y Dist., Charleston, S. C.*

STATE OF SOUTH CAROLINA, *Pickens District:*

Personally appeared before me Frederick Garrett and made oath that he was present at Hunnicutt's Crossing on the 12th night of October last, the night that young Hunnicutt was killed; and he further states that the meeting of the league was in the house of the said deponent, and that some time in the early part of the night he heard a pistol fire near the league house; it did not seem to be more than twenty-five or thirty yards distant. The guard reported immediately that Bob Smith had shot at them, and "What shall we do?" Some one of the head ones said, "We are here peaceably, and don't allow that, and they must arrest him." Then, as said deponent was informed, Smith broke and ran in the direction of the school-house, where the debating society were. Some of the guard came running down to the league house and said, "Men, they are firing on our men, and one of our men is killed." The crowd then all left the house, except a few, and went, as he supposed, to see who was killed. Some of the officers gave the deponent orders to stay and take care of the things until the crowd came back. Some of the crowd said that Mr. Hunnicutt's son was killed, and they were very sorry for it. Alexander Bryce, junior, remained in the house with said deponent all the time till the crowd returned, and remained some ten or fifteen minutes afterwards, and then said he was going home; and said deponent did not see him again that night. Some time between midnight and day, several hours after the killing, said deponent heard the report of a gun; and the voice of some one in the crowd out of doors said it was Nat. Frazier, and done accidentally. The gun then in the hands of said Frazier belonged to said deponent, purchased from W. A. Lay, on whose land said deponent lives. Said deponent remained at the league house for several hours after the firing at the debating society, until Sunday morning, about half an hour after sunrise, October 13. Said deponent further states that the guard, from anything he knew, came to the meeting unarmed with guns.

his  
FREDERICK X GARRETT.  
mark.

Sworn to before me this 16th day of December, 1867.

NIMROD SULLIVAN, *Magistrate.*



WALHALLA, December 4, 1867.

DEAR SIR: As far as I have been enabled to learn from the examination in taking affidavits in matters or circumstances relating to the arrest and exposure of A. Bryce, junior, I am of opinion that his arrest was without foundation, and, consequently, his exposure not to be justified.

Respectfully, &c.,

NIMROD SULLIVAN.

General CANBY.

The following statements may be proven by D. Biemann and F. A. Riley:

*Statements of D. Bieman.*

That the sheriff arrested A. Bryce, junior. Said Bryce, junior, submitted and walked into prison without the showing of any warrant, and that said Bryce was tied to the negro who lived in a house belonging to said Bryce.

*Statements of F. A. Riley, to the officers, sheriff, &c.*

F. A. Riley stated that, from the intimate acquaintance with said Bryce, he would submit to anything right; that he was knowing to Bryce helping many persons in distress, during and since the war; and, in a word, in substance, there was no necessity of ill-treatment nor misusage of said Bryce, through prejudice nor anything else, as it seems that prejudice between the district officers, clerk, sheriff, &c.

A. BRYCE, JR.

WALHALLA, SOUTH CAROLINA, December 23, 1867.

SIR: I forward you papers in regard to a certain case which you are now fully apprised of, no doubt. Of the nature of the case I will give you my opinion on the said case, for there is a tremendous prejudice arrayed in the bosom in certain characters in this district, that they are not willing to give justice or have the true light shine. There can be no doubt but Robert Smith did shoot at the league house, and, if rightly traced, is the guilty one of the murder. The blacks are so badly cowed and scared from the threats that they are almost afraid to let out what they do know. This man Robert Smith and John Keith were working the turnpike road leading through Jackson county, North Carolina, to Webster Court House. Robert Smith and others got into a stealing scrape, but could not induce John Keith (a boy who has been sentenced for murder) to go into the stealing scrape with him. He, John, was named a witness, and it is my opinion that Robert Smith came to league house to do mischief that night, and accomplished his ends, but, unfortunately, it fell on a defenceless person to what he anticipated. I am fully persuaded that they did not do justice, (for the officers of the court were composed of hot-headed secessionists,) but would not hear only the side of the case that suited them. The officers, clerk, and sheriff, ordinary and district judges, held a conspiracy not to grant me bail till the case was ended—so I have been reliably informed—for if I was out of the cell of the jail, I would force them to carry up the case in full; that would make them implicate some one that they did not want to implicate. Every witness that I take a warrant for they would try to concert. Nat.

Frazier was my witness, and was not arrested when I was; he was brought some time in the week. I told the officer when to go and arrest him, as he was my witness. I heard nothing charged against him till it came to the trial, when I found out that every witness that I had they were trying to concert, or, at least, the day before the trial I learned it. I then managed to have a few of my witnesses to stand around unknown to the court, so, if there was anything stated wrong, that I might have straightened; but the State could not make a case against me, and I did not use them. So I will close. I will come to Charleston if your honor will have an interview with me.

I remain your obedient servant,

ALEX. BRYCE, JR.

Brevet Major General E. W. HINKS, U. S. A.

STATE OF SOUTH CAROLINA, *Pickens District*:

Personally appeared Johnson Wright before me, and made oath, that he did not arrive at the league meeting at Hunnicutt's crossing until a late hour, and when he did come Mr. A. Bryce, jr., had left and was gone. He did not see Mr. Bryce at the place; that said Bryce had not been there only as a guest to address the meeting, and had advised that good order should be observed. Said deponent says that Richard Lewis told him if Bryce's neck was broken, it would be better times for all; for Bryce was fooling the blacks out of their money, &c. Deponent says he replied to Mr. Lewis, that Bryce was not the treasurer, and why did not said Lewis go and tell Bryce and not be telling it to him?

JOHNSON WRIGHT.

Sworn to and subscribed before me, this 23d day of December, 1867.

NIMROD SULLIVAN, *Magistrate*.

*Statement.*

I certify that Stephen Crocket said that Clark Hunnicutt (brother of the deceased) told him that he believed that Bob Smith shot his brother, for he was there, and from what he saw he was of that belief; and also another boy says that he had hold of Smith when he shot Hunnicutt, and that Perry Maxwell will swear that he saw Bob Smith shoot Hunnicutt; and it is reported that if some two or three would swear and convict Bryce, the solicitor said he would turn all the rest out.

Given under my hand this 23d day of December, 1867.

The above testimony will be obtained as soon as possible.

JOHNSON WRIGHT.

SOUTHERN EXPRESS COMPANY,  
*Walkalla, South Carolina, December 17, 1867.*

Received of Alexander Bryce, jr., one package papers, marked Brevet General E. W. Hinks, provost marshal, 2d military district, Charleston, South Carolina.

H. M. PIEPER.

STATE OF SOUTH CAROLINA, *Pickens District:*

*To all whom it may concern:*

I certify that I have been personally acquainted with Alexander Bryce, jr., for a number of years past; that he is strictly a Union man there can be no doubt; consequently during the late war between the Confederate and United States he shrewdly evaded the service in the confederate army, and being an able-bodied man there were efforts made to force him into the service; but he, being vigilant and enterprising, always so managed as to get some contract or exemption, and still stay at home. He doubtless incurred the displeasure of many, and perhaps made inveterate enemies of some, from the fact that he succeeded in keeping himself and some of his friends out of the army. But I can say that since our acquaintance I have ever known him to manifest a disposition of kindness in assisting the needy and distressed when called upon to the utmost of his ability, and have ever found him to be a man fair and honorable in his dealings.

Respectfully submitted.

NIMROD SULLIVAN, *Magistrate.*

DECEMBER, 1867.

STATE OF SOUTH CAROLINA, *Pickens District:*

Personally appeared before me Henry Young and William Perry, and made oath: The said Henry Young says that in October last he was present at the Union League meeting at Hunnicutt's Crossing, and that A. Bryce, jr., was also present; that he, the said Young, offered prayer in the opening of the meeting, and while engaged in prayer he heard a pistol fired, and it was directly reported that Robert Smith had fired at the league house. It was then ordered by Jackson Henderson that he (Smith) be arrested. Then in about the space of half an hour he heard the fire of a pistol, and it was soon reported that one of the league men was killed, but it was afterwards understood that it was Mr. Hunnicutt's son that was killed, for which accident those of the league meeting expressed much sorrow. Said deponent further says that A. Bryce, jr., remained all this time in the league house, and said nothing, only told Clark Cleveland to go out and endeavor to keep order. Said deponent further says that when he appeared at Pickens as a witness for Mr. Bryce he was imprisoned in the dungeon, and kept there from Tuesday until Saturday morning, and then brought before the court; he was then released, upon motion of Mr. Bryce, as not being a prisoner. Said deponent says that Mr. Bryce had remarked to the sheriff that said Young was there as a witness, and could give security, and that the sheriff replied there was more against him than that, and accordingly put said deponent in the dungeon as aforesaid.

William Perry says that he was at the Union League meeting at Hunnicutt's Crossing in October last, and while there heard a pistol fired, and then it was demanded, "Who is there?" Then Bob Smith said, "It is me, and I shoot where I damn please, and I go where I damn please," and then advanced near the league house, as though he would go in the house, until his arrest was ordered; he then turned and went toward the school-house, where they had a debating society. Said deponent further states that John Butler (who is now in the penitentiary) told him that Clark Hunnicutt told him that Bob Smith said he went down to the league meeting and heard the negroes singing, "The white folks

have the land, but the negroes have the law; rally, rally, boys, the land we will have;" and that said Smith then went down to the league house and fired the pistol. (Said Humnicutt is a brother to the deceased.)

his  
HENRY × YOUNG.  
mark.

his  
WILLIAM × PERRY.  
mark.

Sworn to and subscribed before me this 23d day of December, 1867.  
NIMROD SULLIVAN, *Magistrate.*

WALHALLA, SOUTH CAROLINA,  
December 23, 1867.

*General Commanding the Districts of South and North Carolina:*

We beg leave to state to your honor that we have been personally and intimately acquainted with Alexander Bryce, jr., before the rebellion, during and since the same, and he has always been a Union man, and is still so at present. He being an able-bodied man, a portion of the citizens of this district used all of their endeavors to send him to the confederate army; he would always return with a detail or otherwise. He was always kind and obliging to the needy. Now if your honor could and would be pleased to assign him to some office in this district, by which the Union men of this district might have justice meted out to them, we have every confidence that he would faithfully discharge his duty.

We do think his treatment has been cruel, and would be pleased that something could happen to reinstate him in the position he justly merits, for he is certainly a true friend to the poor classes of the country.

Very respectfully submitted:

O. A. HOLLOWAY.  
THOMAS THOMAS.  
D. D. SHELESWORTH.  
GEORGE F. GULDEN.  
A. MCFURTERED.  
J. F. COX.  
JOHN W. CANNON.

[General Orders No. 68.]

HEADQUARTERS SECOND MILITARY DISTRICT,  
*Charleston, South Carolina, April 15, 1868.*

I. Before a military commission convened at Columbia, South Carolina, pursuant to paragraph IX, Special Orders No. 42, current series, from these headquarters, and of which Brevet Colonel Francis L. Guenther, captain 5th artillery, United States army, is president, was arraigned and tried—

*Robert Smith, citizen.*

CHARGE 1.—“Malicious mischief.”

*Specification.*—“In this, that the said Robert Smith, citizen, did unlawfully, wantonly, and maliciously discharge a loaded pistol near and toward a building wherein certain persons, unknown, were peaceably assembled;

this with intent to disturb said persons and with reckless disregard of human life and against the peace; this at or near Humnicutt's Crossing, Pickens district, South Carolina, on or about the evening of October 12, 1867."

CHARGE 2.—"Discharging fire-arms in the night time, without necessity, in violation of statute of South Carolina."

*Specification.*—"In this, that he, said Robert Smith, citizen, did, without necessity, fire and shoot off a pistol after dark and before daylight; this at or near Humnicutt's Crossing, Pickens district, South Carolina, on or about the evening of October 12, 1867."

CHARGE 3.—"Carrying deadly weapons, in violation of paragraph XII of General Orders No. 10, headquarters second military district, 1867."

*Specification.*—"In this, that the said Robert Smith, citizen, did have in his possession, carry, and use a loaded pistol, without authority, necessity, or justification; this at or near Humnicutt's Crossing, Pickens district, South Carolina, on or about the evening of October 12, 1867."

PLEA.—"Not guilty."

FINDING.—"Guilty."

SENTENCE.—"To be confined at hard labor at such place as the commanding general may direct, for the period of six (6) calendar months."

II. The evidence in this case establishes that in the night time the accused, Robert Smith, of Pickens district, South Carolina, wantonly and maliciously, with an utter disregard of human life, discharged a pistol into an assemblage of unsuspecting men, who were engaged in a meeting of what is called the loyal league. It does not appear that Smith had in view the taking of the life of any particular individual, or that his action was impelled by the promptings of personal revenge; and the conclusion is unavoidably reached that he was actuated by motives of vindictive hostility to a class of persons who, but recently invested with the privileges of citizenship, were acting in the capacity of a political organization to which Smith was bitterly opposed. Whatever may be the differences of opinion as to the wisdom or propriety of these assemblages, it is the undoubted right of the people to engage in them so long as their objects and proceedings are not unlawful; and any attempt to break them up or interrupt or disturb their proceedings by violence is unwarranted by any rule of law, propriety, or necessity.

It is further disclosed by the evidence that this unprovoked aggression led, first, to the attempt by some members of the loyal league, deputed for the purpose, to secure the arrest of Smith; and that while in pursuit of him this party came into collision with some of the members of another assemblage convened in the immediate neighborhood, and for a different purpose. This collision, by accessions from both bodies, soon swelled to the proportions of a formidable riot, in the course of which a young man named Humnicutt was murdered, and for which the perpetrators have been prosecuted and punished in the civil courts.

It does not appear that any unfriendly or hostile feelings existed between the two assemblages prior to the inception of the riot; but it does not appear on the contrary that the meetings of the two bodies were known to the members of each, and that one of the members of the debating club had engaged to address the loyal league and was waiting for the summons when the riot commenced. The conclusion then is unavoidably reached, that the unprovoked aggression of Smith, in reckless disregard of law and right, acting upon a body of men who were probably to some extent already excited by threats that were then rife, and of which there is unquestioned evidence, to break up the loyal league by force, was the primary cause of the riot and its lamentable result.

It is not material to inquire now whether these threats were made seriously and with criminal intent, or in senseless bravado. In either case the same state of excitement and apprehension obtains, and it is in the power of the most worthless member of any community to originate an antagonism and conflict that must result in endangering the peace and order of society. The importance of guarding against occurrences of this kind cannot be too deeply impressed not only upon the local authorities but upon private citizens; and whenever they do occur the full force of the law should be brought to bear upon the offenders so promptly and decidedly as not only to vindicate its majesty, but to give that sense of security which is so important an element in the preservation of quiet and order.

From a careful consideration of the evidence in this case, and the facts developed in the trial of the rioters before the court of common pleas and general sessions at Pickens, it is difficult to reach any other conclusion than that the accused, as the original aggressor, if not legally is morally responsible for the result of the riot; and it is to be regretted that he was not indicted and put on trial with the other rioters. The delay has neutralized much of the good that would have resulted from speedy trial and punishment of all the offenders.

The proceedings, findings, and sentence are approved, and Fort Macon, N. C., is designated as the place of confinement.

By command of Brevet Major General Ed. R. S. Canby:

LOUIS V. CAZIARC,

*Aide-de-Camp, Acting Assistant Adjutant General.*

P.

HEADQUARTERS SECOND MILITARY DISTRICT,

*Judge Advocate's Office, July 23, 1868.*

In the matter of the murder of Solomon G. W. Dill, of Kershaw district, South Carolina, on June 4, 1868:

Copies of first, second, and third reports of First Lieutenant George F. Price, 5th cavalry, assistant to judge advocate second military district, with accompanying papers in case of assassination of Solomon G. W. Dill, of Kershaw district, South Carolina, June 4, 1868.

Copies of originals for headquarters second military district, made in compliance with orders of the commanding general, 15; 15 and C. F. and 1868.

Originals forwarded to D. H. Chamberlain, esq., attorney general South Carolina, from judge advocate's office, through headquarters second military district, July 23, 1868.

PRICE, *Assistant Judge Advocate.*

Captain CAZIARC, U. S. A.,

*Aide-de-Camp and A. A. G., Second Military District.*

HEADQUARTERS SECOND MILITARY DISTRICT,

JUDGE ADVOCATE'S OFFICE,

*Charleston, S. C., June 22, 1868.*

SIR: I have the honor to respectfully report that, in compliance with verbal instructions of the 13th instant from your office, I proceeded on the 15th instant to Camden, Kershaw district, South Carolina, to inquire into the facts and circumstances connected with the assassination of Solomon G. W. Dill, of said district, on the night of June 4, 1868.

Dill was a white man, a native of South Carolina, aged from 45 to 50 years, of a fair education, and possessed of some property. But a short time previous to identifying himself with the republican party he was recommended by prominent citizens of Kershaw district for the position of magistrate, and I am reliably informed by many persons that until he joined the republican party his character was not assailed; but so soon as he joined that party he was made the object of a torrent of abuse, as ungenerous as it was, in my judgment, without cause or foundation. A social and political warfare was waged against him, bitter and unrelenting, simply on account of his expressed sentiment in favor of reconstruction and his sympathy with the republican party. In proportion as he gained the confidence of that organization did this bitter and unrelenting persecution pursue him, and insults without number were heaped upon him in public places—through the columns of the local newspaper, on the streets of Camden, and on the roads of the district, and upon all and every occasion when his name could be introduced. The citizens of his district elected him a member of the constitutional convention which was in session in this city last winter. As a member of that body he was known to his associates as a liberal, practical man, and enjoyed their respect and confidence. The citizens of his district subsequently returned him, at the election of April 14, 1868, a member of the legislature, and he had consented to be a candidate at the election of June 2-3, 1868, on the republican ticket for county commissioner, with the understanding that, if elected, he would resign his seat in the legislature. It was charged against him by his political opponents that he made incendiary speeches and pursued a general policy calculated to arouse the evil passions of the freed people, alarm the whites, and thereby lead to serious trouble and disturbances. I made diligent efforts to ascertain if this was true, and while I could find many persons who would say they had understood that he had made incendiary speeches, and that he had said he expected to be killed and that "if killed the freed people must rise and avenge him, and kill from the cradle up, for 20 miles square." I could not find an individual who ever heard him make use of any such remarks, or ever heard him use any violent language, or give bad advice in his speeches. But on the contrary the general statements of those who heard him speak—and I made inquiries regarding every speech he made in the district—was to the effect that he always gave good advice to all the people, more particularly to the freedmen, and counselled moderation. He had been heard several times to say that his life had been threatened by many persons; that he expected to be killed, but that so long as he lived he would stand firmly to his avowed political principles because he believed them to be just to all men.

From the time Dill was elected to the legislature the bitterness against him appears to have increased from day to day. It was repeatedly said in public that such a man ought not to be allowed to live in the community; that the sooner he was dead the better; that he ought to die: that he might be elected to office, but it would do him no good. Abraham Rabon (white) met Thomas Britton (colored) on May 22, 1868, and asked him where he was going. Britton replied, "Going down to Mr. Dill's to hear a speech;" whereupon Rabon answered, "Yes, you are all going to hell as fast as you can, for that damned George (meaning Dill) will be knocked into a cocked hat before many days." (See evidence before coroner's inquest.)

On the Saturday (May 30, 1868) prior to the election of June 2 and 3, 1868, Burrell Albert (white) said to Robert Pool, (colored,) and before the speaking, that it would not be four days after the speech, at the outside, before Dill would be killed. (See memoranda of evidence.

On Saturday, May 30, ultimo, the democrats had a barbecue not far from Dill's house, and on the same day the republicans had a meeting in the same neighborhood. It is said that the democrats invited Dill to their meeting, and that he declined to attend. About 3 or 4 o'clock of the same day a party of men went from the democratic barbecue over to the republican meeting, and requested that one of their number be allowed to address the audience. It appears that the request was refused, and as the party went off, Emanuel Parker, (white,) one of the number, said, "I got old Dill's eye, and I'll have his head before Saturday night." (See affidavit marked No. 1.) This same Emanuel Parker said, about the 15th May ultimo, "Our men put old Lincoln up Shit creek, and we'll put old Dill up." (See affidavit marked No. 2.) During the same afternoon a party of about twenty whites, having one black man with them, George Bowen, left the democratic barbecue and went down to Dill's house. As they approached the house some one in the crowd said they intended to return Saturday night and shoot the house into a honeycomb. (See evidence before coroner's inquest.) Some other person in the party was heard to say, "I have a good mind to shoot the house;" when some other person in the party answered, "No; there is a woman sitting in the door with a child in her lap." Then some one in the party said, "We'll go around and have old Dill if we have to shoot him through the crowd." The witness thinks the last remark was made by William Kelly, (white,) and recognized in the crowd William Kelly, John Picket, and Emanuel Parker, (whites.) (See affidavit marked No. 3.)

The following-named persons were of the party just referred to, the names being copied from a memoranda (which accompanies this report) made by Dill that evening:

Dr. William Nelson.

John Burdell.

James Team.

William McCabler.

Robert McCoy.

Neal Ray.

Lawson Brannon.

Littleton Ishell.

George Bowen, (colored.)

Robert Mickle.

Emanuel Parker.

Henry Clark.

John Whitaker.

John R. Pickett.

William D. Pass.

Isaac Mattox.

John Nelson.

Charles McDowell.

Eli W. Parker.

Alexander Boykin.

The election for county officers commenced on Tuesday morning, June 2, and ended on Wednesday evening, June 3, instant. The week prior to the election, William Kelly (white) was in Camden, and while in front of Gerald's store, engaged in conversation with a colored man, after having told the colored man that he (Kelly) had heard that Dill had asked the colored men on that side of the river if they would burn down the houses if he (Dill) were killed, and hearing the colored man's positive denial that Dill had ever made such a remark, said, with emphasis, "If it is the last thing I do, I'll kill Dill." (See affidavit marked No. 4.)

On Tuesday, the first day of the election, this same William Kelley was in Camden, and, in a quarrelsome conversation with a black man, said, "Yes, by God! you all take old Dill for your god; and, God damn him! I'll kill him." (See affidavit marked No. 5.)

But amid all this torrent of abuse and threats against his life, Dill appears to have preserved his temper, counselled wisely, and acted cautiously; but these repeated threats so far affected him that he secured



the services of certain friends to remain at his house at night as a guard. But on the night of his assassination, 4th instant, the guard was not present, as *he* thought, the election having passed, the excitement would rapidly subside, and that no actual violence would be offered him. On the Thursday morning following the election it was generally known that the republican county ticket was elected. In fact, this result was expected by the community. About 9 o'clock that morning, Dr. John A. Glenn and William Kelly were observed skulking in the woods near Alexander Boykin's place. When discovered, Dr. Glenn came up to the house and inquired for Alexander Boykin. William Kelly did not come up to the house, but remained lurking in the woods near by. Dr. Glenn and Alexander Boykin carried on their conversation in a very low tone of voice for nearly an hour, and finally both of them went off up the road. Alexander Boykin did not return until dinner time, and said, in explaining his absence, that he had been to Anderson Bowen's, and had left Dr. Glenn there. (See affidavits marked Nos. 6 and 7.)

On Thursday evening, 4th instant, just before sundown, William Kelly and Gardiner Kelly came to Emanuel Parker's house, got two bottles of whiskey, and went off into the woods. At sundown the stock-tender on the place went to the house and could not find Emanuel Parker anywhere about the premises, but when the Kellys came to the house, just before sundown, Emanuel Parker was there, walking on the piazza of the house. (See affidavit marked No. 8.)

Another person saw Emanuel Parker on the same evening, about the same hour, walking on the piazza of the house. The wife of this person was afraid something bad was about to be done; that William Parker, son of Emanuel, had taken his gun and two pistols and went off. Emanuel Parker was not seen again about the house until the next (Friday) morning. It is customary at Emanuel Parker's mill to peek the stone every Thursday, ready to grind Friday morning. William Parker commenced to do this Thursday, 4th instant, but before he finished the job left it, locked up the mill and went off, and he did not put the hopper and frame in the mill until daybreak of Friday morning. (See affidavit marked No. 2.) It was a very unusual occurrence for William Kelly and Gardiner Kelly to go to Emanuel Parker's house. (See affidavit marked No. 9 and memoranda of evidence.) On Thursday evening, 4th instant, there was a big crowd of men gathered about the house of Eli W. Parker. (white.) They went off about dark, Parker going with them. He did not return home until about daylight next (Friday) morning—returned on horseback. (See memoranda of evidence.)

On the Thursday evening, June 4, 1868, about half an hour after dark, an armed party, number unknown, sneaked up to Mr. Dill's house, just as the family were getting ready for supper, and firing into the house, through the open door, killed Solomon G. W. Dill, and Nestor Ellison, an aged black, and dangerously wounded Mrs. Dill. There were also in the house at the time a Mr. and Mrs. Taylor, and a Nancy Burnett and her two children. This cowardly and brutal assassination was the natural result of the intemperate speeches and violent threats made against Dill prior to the election. The killing of Mr. Dill was a political assassination. This fact stands out in bold relief and is beyond dispute. If he had not been a republican he would not have been so foully slaughtered. The great enormity of this assassination is more clearly understood when it is shown that, to accomplish the crime, the persons of men, women, helpless children, and an aged decrepit black man, none of whom had committed any evil, were not regarded, but on the contrary they were shot at, killed, and wounded, with as little unconcern as one would shoot

at a wolf; and when Nancy Burnett rushed from the house begging, not for her own life, but, mother-like, for the lives of her children, an exultant voice answers, "By God, I've got all I want." (See affidavit marked No. 3.) Language fails to express the enormity of this dastardly act, or to correctly portray the sentiment of a community which makes no effort to secure the arrest of the guilty parties.

All the persons present in the house, and surviving the assault, agree that the shots were fired through the east door of the house. As the shooting was going on Alex. Boykin, who was at his house, stepped to the door and said, "I believe that Dill is killed," and turning around said, "You blacks can clear me, as I am at home."

On the Saturday following the assassination, 6th instant, both Alex. and Henry Boykin told the blacks on the place that they must clear them, being very anxious to impress upon their minds that they were at home when the killing was done. On Friday afternoon, 5th instant, Anderson Bowen came to Alex. Boykin's place, and they sat on the fence and talked and laughed together, and when Bowen left Alex. Boykin told the blacks that Dill was killed. Alex. Boykin was home from dinner-time of Thursday until after the killing, and Henry Boykin started for Columbia (so said) Thursday morning and returned Friday, but he could not have gone to Columbia and got back home so soon. (See affidavits marked Nos. 6 and 7.) William Taylor, who was in the house when the shooting commenced, threw himself out of the west door and ran across the lot to the road on the south side of the house and hid in the bushes. While so hid two men came up through them, and being afraid they were after him he drew back still further in the bushes, and so failed to recognize them. They were on foot, and does not know which way they went. Thinks there were 10 shots fired. (See affidavit marked No. 10.) Mrs. Elizabeth Taylor saw two men run out of the field on the eastern side of the house, but failed to recognize them. They were both tall men. (See evidence before coroner's inquest and affidavit marked No. 1.) Nancy Burnett thinks there must have been 15 persons in the crowd. (See affidavit marked No. 3.) All agree that not less than 10 shots were fired, and persons living at a distance from the house, and who heard the shooting, agree in saying there were about 10 shots fired.

Dr. John A. Glenn and William Kelly were seen about 9 o'clock p. m. of Thursday, 4th instant, riding by Mr. Teams's house, which is about three miles from Dill's house. They were recognized by the moonlight, which was shining brightly, and also by their voices. It was not noticed whether they had any guns with them. They were riding slowly and did not manifest any excitement; did not stop at Teams's house. One man (unknown) was riding ahead of them very rapidly. They were not on the direct road from Dill's house to Glenn's house, but they were riding in a direction which took them away from Dill's house. (See evidence before coroner's inquest.) Dr. Glenn and William Kelly were recognized about 9 o'clock Thursday evening, 4th instant, coming through the old field on the road leading from Mobley's place to James Teams's; this was a little while after the shooting was over at Dill's house. They were talking to each other, and William Kelly was heard to say, "We've got him." They were walking their horses, but there was one horseman in front of them riding at a gallop. As soon as Glenn and William Kelly had passed, the person recognizing them ran by a footpath to his mother's, (she lives at James Teams's place,) some distance off, and as he arrived there the horseman who was riding at a gallop was passing the house and could not recognize him. A few minutes after Dr. Glenn and William Kelly came riding by and recognized

them again. They were about 150 yards behind the first horseman. It is a mile from where this person first saw Glenn and William Kelly to Teams's house, and when he told his mother what he had heard, and who he had seen, she advised him not to say anything about it. (See affidavit marked No. 12.)

Another person also saw a horseman (unknown) riding rapidly, and following behind him, in a few minutes thereafter, two more men came riding up at a walk; recognized both of them; one was Dr. John A. Glenn, the other was William Kelly. Heard one of them say, "I have saved him," but cannot say which one. This person is the brother of the one mentioned in affidavit No. 12, and says he saw him running toward James Teams's house, and after the two horsemen rode by his brother stepped out from where he was standing and said, "I got them two fellows." (See affidavit marked No. 13.) The next morning, Friday, 5th instant, Thomas Murphy was heard to say at Getby's mill that he was glad Dill was killed. (See evidence before coroner's inquest.) On the same Friday morning, 5th instant, Neal Ray, Lawson Brannon, and James Hayes were at Emanuel Parker's; William Parker was there also, and all "were taking on mightily and appeared to be very joyful over something," (see affidavit marked No. 2;) and during the same day Eli W. Parker went to Emanuel Parker's house, "and they were laughing and talking how old Dill was killed." Emanuel Parker said to Eli W. Parker, "Stand your ground; I have plenty of lead in the house." (See affidavit marked No. 8.)

The inquest held on the dead bodies of Dill and Ellison resulted in a verdict that they came to their deaths, about a half hour after dark on the evening of June 4, 1868, from gunshot wounds inflicted by some parties to the jury unknown. (See verdict of coroner's jury.) Dill was shot in the cervical portion of the spine, and Ellison was shot in the brain. (See evidence before coroner's inquest.) I am assured by a member of the coroner's jury that the whites on it scarcely looked at the dead bodies, did not appear to have any desire to ascertain the locality of the wounds thereon, and that a general indifference was manifested. The inquest appears to have been hurried through as speedily as possible, and no material effort made to detect the guilty parties. Since the inquest the civil authorities have not taken any further action in the matter, but they are not to blame, as no person has furnished them with any information. I regard the sheriff (Mr. Sill) of that district as an honorable, high-minded, and faithful public officer, and I am certain he would not neglect any duty placed before him. While the community professes to denounce this assassination, no white citizen thereof (excepting Judge W. G. Leitner) has approached me with any information bearing upon the subject, though it was well known I was there charged with the investigation of it.

Upon the affidavit filed with me the following named whites have been arrested upon suspicion of being connected with the assassination of Dill, to wit, Dr. John A. Glenn, William Kelly, Emanuel Parker, and William Parker; and the following named persons have also been arrested, because from the affidavits filed it is believed they have some knowledge of the guilty parties, to wit: Gardiner Kelly, Alex. Boykin, Henry Boykin, Burrell Albert, (all white,) and George Bowen, (colored.) All of the above-named persons were brought to this city on the 20th instant and delivered to the commanding officer post of Charleston, South Carolina, for safe keeping. In addition to the foregoing, Eli W. Parker (white) and Robert Jones (colored) are held in custody in Camden, South Carolina, because it is believed they have a

knowledge of the guilty parties. John Burdell (white) was arrested, but, giving satisfactory explanations concerning certain suspicious circumstances, he was released without having been lodged in jail.

Some objections have been raised in Kershaw district to the effect that certain of the above-named persons now in arrest are of the most respectable citizens, &c. This objection is met by the fact—a most significant one—that the foot-tracks surrounding Dill's house were noticed to be fine boot tracks, with one track that looked as if made by an old shoe, run over at the side and heel. (See affidavit marked No. 3.) Common people, particularly those living in the country, do not wear fine boots. The general commanding, in his letter to me of the 14th instant, authorized, under certain circumstances, a reward not exceeding \$10,000 for information which would lead to the arrest and conviction of the assassins of Dill. I have not yet availed myself of this agency, preferring to first exhaust every other apparent source of information. My associations with the citizens of Kershaw district have been heretofore pleasant. They are now pleasant; and I regret that the circumstances surrounding the assassination of Dill compel me to say that I am convinced that the neighbors of Dill can, if they choose to do so, give information which would lead to the arrest and conviction of every person engaged in his assassination; and it is my belief (I trust without any prejudice) that when all the truth becomes known in regard to this assassination, the parties committing the crime, together with the accessories before and after the fact, will be counted by scores.

Major Adams, the bureau agent at Camden, and detectives Hubbard and Griffin, of the provost marshal's office, have labored unceasingly to obtain information relating to this crime. The blacks have given me all the assistance in their power, and have uniformly exhibited good conduct under circumstances well calculated to arouse their worst passions; for Dill was their trusted and proved friend. They have no intention of taking the law into their own hands. I do not think the evidence thus far obtained will justify any more arrests, unless it should be determined to arrest all the party at Dill's house on the Saturday preceding the election of June 2d and 3d, 1868.

With this report I respectfully submit all the affidavits and other papers relating to this case to date, and, unless otherwise directed, I propose to return to Camden on next Wednesday, 24th instant, and continue the investigation.

Very respectfully, your obedient servant,

GEORGE F. PRICE,

*First Lieutenant Fifth United States Cavalry,  
Assistant to Judge Advocate Second Military District.*

Lieut. LOUIS V. CAZIARC,  
*Assistant Adjutant General.*

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HEADQUARTERS SECOND MILITARY DISTRICT,  
JUDGE ADVOCATE'S OFFICE,  
*Charleston, S. C., June 30, 1868.*

SIR: I have the honor to respectfully submit the following remarks supplementary to my report of the 22d instant, relating to the assassination of Solomon G. W. Dill, a citizen of Kershaw district, South Carolina, June 4, 1868.

Eli W. Parker and Henry Boykin have been released from custody since report of 22d instant.

In the case of Eli W. Parker the evidence was not sufficient to hold him for further examination; and in the case of Henry Boykin an alibi was sustained by undoubted evidence.

The following additional information is presented against William Parker:

He was seen Thursday evening, just before dark, to take his revolver, fasten it to his person, and start off in the direction of Mrs. Sarah Parker's. (See affidavits marked Nos. 14, 15, and 17.)

The affidavit against Burrell Albert accompanies this report, to sustain statement made in report of 22d instant. (See affidavit marked No. 18.)

Dr. John A. Glenn has heretofore attempted to show by his colored cook that he was at home on the day and evening of the murder of Dill. Under threats of corporeal punishment she was induced so to state to Magistrate John Crumpton. Her affidavit is now submitted, which shows that Glenn left home early on Thursday morning, June 4, 1868, and did not return home until midnight of same day. His general manner and soiled condition of his clothing are marked features of her statement. (See affidavit marked No. 19.)

Sergeant Francis W. Kenstler, company K, 8th infantry, who arrested Dr. Glenn, observed an unusual quantity of fire-arms in Glenn's house. When arrested by the sergeant Glenn requested permission to arm himself. He also saw a number of rifles and shot-guns at Emanuel Parker's house.

The sergeant made a number of arrests on that day, (June 9, 1868.) and at that time he passed a mounted armed guard of eight or ten men, which was stationed between Emanuel Parker and William Parker's house, guarding the road, but for what purpose does not know. (See affidavit marked 20.)

The following named white men have been arrested since report of 22d instant, and are charged with others with the assassination of Dill, to wit, Joseph Huckabee, William Nelson, George Mattox, John Pickete, John Mickle, Abram Rabon, and M. P. Kelly.

Particular attention is invited to affidavit marked No. 21, (a synopsis of it cannot be made in this report,) as justifying not only the arrest of the above-named men, but also the previous arrest of Dr. John A. Glenn, William Kelly, Emanuel Parker, and William Parker. This affidavit, in connection with others filed in this case, indicates that these 11 white men are the assassins of Dill.

Samuel Mattox was also arrested on affidavit marked No. 21, but on account of old age and feeble health, he was released from the Camden jail. He is the father of George Mattox, and cannot get out of the way if he desires to do so. Under the circumstances it was thought that humanity demanded his release and return home, where his wants and infirmities could be properly cared for.

In this connection may be mentioned two facts: John Chestnut (colored) went with Robert Jones (colored) to the place indicated in affidavit marked No. 21, where the horses were to be held, and ascertained that horses had been held at that place. The two men that Taylor saw leaving Dill's house just after the assassination, (see affidavit marked No. 10.) were going through the bushes towards the place where these horses were held.

About dusk of the day Dill was assassinated, John Mickle came to his house from the field, riding his horse; got off; hitched the horse; went into the house and got a drink of water, then went out, mounted his horse and rode off. He was called for supper, but paid no attention to

the summons. About 10 o'clock p. m., same night, he returned and called for supper, and on being told that it must be nigh unto 10 o'clock, replied: "I don't care if it is an hour before day." The next morning he said Dill was killed, and that the Ku-Klux had come from Tennessee to do it. (See affidavit marked No. 22.)

It has been ascertained that the horseman riding rapidly in advance of Dr. John A. Glenn and William Kelly, a short time after Dill was assassinated, (see evidence before coroner's inquest and affidavits marked Nos. 12 and 13,) was mounted on a black horse. After a careful search of Kershaw district, on the west side of the river, (where Dill and the arrested persons lived,) only one black horse could be found. It belongs to, or was in the possession of, John Pickett, now in confinement.

Alexander Boykin, when he heard the shooting on Thursday night, said: "Dill's killed," &c. (See affidavits marked Nos. 6 and 7.) The houses of Boykin and Dill are about four miles apart, and why Boykin should make such a remark when he heard shooting at such a distance from his house as to cause the report to sound like a person striking a log with an axe, remains by him unexplained, further than his general denial of having made such remark; but when we consider Dr. Glenn's visit to him that morning, and William Kelly's skulking in the woods near by during the visit, and the subsequent proceedings that evening with which Glenn and William Kelly are so strongly connected, the conclusion is forced upon my mind that Alexander Boykin was solicited to join in the proposed assassination but refused to do so, and his knowledge of what was intended led him to make the remark he did when the shooting was heard; and further, his knowledge of the proposed crime made him more than ordinarily anxious that the black people on his place should remember that he was at home when the assassination was committed. While he is not, at present, accused of being directly connected with the murder, it is firmly believed he is possessed of important evidence in the case, and it is thought all the circumstances will justify his being held in confinement.

George Brown (colored) is held because it is believed he is possessed of important evidence. If he is not the person at Dill's house on the night of the murder who wore the brogan shoes, one of which was run over at the heel, he told John Mickle that Dill had threatened his life, and that Dill's head would go up on Thursday night. Peter Murphy heard this remark, but the affidavit has not yet been obtained.

Robert Jones, (colored,) an important witness, has been released from jail and is now being properly cared for in a secure place under military protection until such time as his testimony will be required.

It is a question not yet decided whether to hold in custody Burrell Albert and Gardiner Kelly, brother of William Kelly. The facts and circumstances apparently connecting them with this case are not yet sufficiently worked up to justify at this time any recommendation concerning their release; but recommendation in their case will be made as soon as possible.

All the evidence thus far obtained has been given by black persons, and having exhausted all information, it was deemed advisable, after consultation with Brevet Colonel Jno. R. Edie, 8th infantry, and the detective force at Camden, South Carolina, to avail myself of the authority granted by the brevet major general commanding second military district, in his letter to me of 14th instant, and, accordingly, on the 25th instant, I offered by advertisement in the Camden Journal a reward of \$500 for information that would lead to the conviction of the assassins of Solomon G. W. Dill, adding thereto that this amount would be paid upon the conviction of one or more of the assassins.

The assistant adjutant general of the district, upon my request, caused hand-bills to be printed, being copies of the advertised reward, and they are now circulated throughout Kershaw and adjoining counties. On Sunday, 28th instant, a large meeting was held on the west side of the river, in Kershaw county, upon my suggestion, which was addressed by Mr. Jillson, superintendent education South Carolina, and two black citizens, at which meeting the reward was publicly read and the citizens urged to assist the civil and military authorities in this matter.

This report and accompanying papers conclude the investigation of this case up to date. Unless otherwise directed, I will proceed to Camden on Monday next, July 6, 1868, for the purpose of securing any additional evidence which may be offered.

Very respectfully, your obedient servant,

GEO. F. PRICE,  
First Lieutenant 5th U. S. Cavalry,  
Ass't to Judge Advocate Second Military District.

Lieut. LOUIS V. CAZIARC, U. S. A.,  
A. D. C. and A. A. G.

HEADQUARTERS SECOND MILITARY DISTRICT,  
JUDGE ADVOCATE'S OFFICE,  
Charleston, S. C., July 10, 1868.

SIR: I have the honor to respectfully report, in continuation of supplementary report of June 30, 1868, that no additional evidence has been developed in the matter of the assassination of Solomon G. W. Dill, of Kershaw county, South Carolina, on June 4, 1868.

An examination of so much of this case as relates to Burrell Albert, Alexander Boykin and Gardiner Kelly, resulted in a recommendation that they be released on bail in the sum of \$1,000 each, to appear as witnesses whenever called upon to do so. This recommendation having been approved by the commanding general, and the parties named having furnished the required bail bonds, they have been released from confinement. The bail bonds accompany this report.

It is respectfully recommended, in view of the approaching termination of military authority (under the reconstruction acts of Congress) in this State, that all the papers in this case be transferred to the attorney general of South Carolina, with the information that Joseph Huckabee, William Nelson, John Mickle, George Mattox, John Picketh, Abram Rabon, M. P. Kelly, Dr. John A. Glenn, William Kelly, Emanuel Parker and William Parker, (all white,) and George Bowen, (colored,) are held in military custody, charged with the assassination of Dill, and will be transferred to the custody of the civil authorities upon his requisition.

I enclose, herewith, memoranda of conversations had between myself and Burrell Albert and Alexander Boykin; also a memoranda of a statement made by Robert Jones (colored) and prior to his affidavit, as information.

Very respectfully, your obedient servant,

GEO. F. PRICE,  
First Lieutenant 5th U. S. Cavalry,  
Ass't to Judge Advocate Second Military District.

Lieut. LOUIS V. CAZIARC,  
Assistant Adjutant General Second Military District.

*Editorial article from the Camden Journal, June 11, 1868.*

**THE MURDER OF DILL.**—Solomon G. W. Dill, representative elect from the district, together with a negro man named Nestor Ellison, who, we understand, has been acting in the capacity of guardsman for Dill, were killed at the house of the latter on Thursday night last about 8 o'clock, and Mrs. Dill seriously wounded at the same time. The particulars, as far as we have been able to learn, are as follows: It appears that Dill, his wife, a white man by the name of Taylor, and his wife, and Ellison, were in Dill's house. The first intimation that they had of the presence of any one else was a shot which took effect upon Ellison, who immediately got up to run, when he was felled by another shot. Dill was next shot from behind, having two buck shot through his neck, one of which struck just above the left ear coming out in the cheek. Mrs. Dill was shot in attempting to escape, her thigh broken. Taylor ran out of the house as soon as the firing commenced, badly frightened, so badly, indeed, that although he was in a fence corner touching the road, and saw two men pass, and even heard them whisper, and noticed that they spoke rapidly, and although the moon was full, and not a cloud in the sky, he could not tell whether they were white or colored. So far as we are informed there has been very little excitement among the negroes in relation to the murder, the general desire expressed by them being that every effort should be made to detect the guilty, but that the innocent should not suffer. On Tuesday an inquest was held over the dead bodies by J. R. Witherspoon, who rendered the following verdict: That the parties came to their death from gun-shot wounds, in the hands of persons to the jury unknown. On Sunday the bodies of Dill and Ellison were brought over to Camden and funeral service performed in the colored Methodist church, after which they were interred, the former in the white and the latter in the colored burial ground. The funeral procession was a very large one, composed exclusively of blacks. On Monday afternoon a detachment of United States soldiers arrived, the object of whose visit we are informed is to detect, if possible, the perpetrators of the murder. Arrests have been made of several respectable white men merely upon suspicion; we do not know upon what grounds the suspicion is based, or what disposition is to be made of the parties arrested, but feel confident not a tittle of evidence can be produced to connect them with the perpetration of the deed. We hope that the perpetrators of this crime will be discovered, and we heartily say, *fiat justitia ruat cællum*.

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**STATE OF SOUTH CAROLINA, Kershaw District:**

An inquisition indented taken at the house of S. G. W. Dill, in this district, the fifth day of June, 1868, before J. R. Witherspoon, magistrate, acting as coroner for the district and State aforesaid, upon view of the bodies of S. G. W. Dill and Nestor Ellison, then and there being dead, by the oaths of J. C. McLever, W. R. Nelson, J. R. Pickett, Willey Albert, Edward J. Conway, John Williams, John Quailes, Samuel Shiar, Alexander Nelson, John Cautz, David Jacobs, Prince Rishbowry, William Kelly, being a lawful jury of inquest, who being charged and sworn to inquire, for the State of South Carolina, where and by what means the said S. G. W. Dill and Nestor Ellison came to their death, upon their oaths do say: That the above-named S. G. W. Dill and Nestor Ellison at the house of S. G. W. Dill, about half an hour after dark, on the



evening of the 4th day of June, 1868, came to their deaths from gunshot wounds, in the hands of some parties unknown to the jury, and so the jury aforesaid, upon the oath aforesaid, do say, that the aforesaid S. G. W. Dill and Nestor Ellison, in manner and form aforesaid, some person or persons to the jury unknown, did then and there feloniously kill, against the power and dignity of the State of South Carolina.

In witness whereof, I, John R. Witherspoon, magistrate, acting coroner aforesaid, and the jury aforesaid, this inquisition have interchangeably set our hands and seals the day and year above written.

J. R. WITHERSPOON,  
*Acting Coroner.*

*Testimony taken before the coroner's jury on the 5th day of June, 1868, over the dead body of S. G. W. Dill and Nestor Ellison.*

Mrs. REBECCA DILL sworn :

I was sitting in a chair, about half an hour after dark, in the house. The shots came from the eastern side of the house. I saw no one when the firing occurred ; Mr. Dill and Ellison were shot about the same time. I ran out of the western door after they fell ; I was stepping out of the door when I was shot. Nancy Burnett and Will. Taylor's wife brought me into the house. Ellison was sitting at the eastern door ; heard him, as he looked out of the door, ask, "Who is there?" He was shot at the same instant ; I saw him fall.

REBECCA <sup>her</sup> × DILL.  
mark.

Dr. A. A. MOORE, J. C. McLEOD, and W. R. NELSON, sworn :

We have examined the bodies of S. G. W. Dill and Nestor Ellison, and are satisfied that they came to their death from gunshot wounds, the former from gunshot wound in the cervical portion of the spine, and the latter from gunshot wound in the brain.

A. A. MOORE, *M. D.*  
J. C. McLEOD, *M. D.*  
W. R. NELSON, *M. D.*

THOMAS BRITTON (colored) sworn :

On Saturday, the 23d of May last, I met Abraham Rabon in the road; he asked me where I was going ; I told him to Mr. Dill's ; he asked me what for ; I told him I was going down there to a speech ; he said, yes, you are all going to hell as fast as you can, for that damned George will be knocked into a cocked hat, and John Qualls too, before many days. I said we will all go to hell together then, and I left him. This is all that passed between us.

THOMAS <sup>his</sup> × BRITTON.  
mark.

NANCY HUCKABEE (colored) sworn :

This morning I heard Thomas Murphy say he was glad he (Dill) was dead. I met him at Mr. Gettey's mill ; this occurred this 5th day of June, 1868.

NANCY <sup>her</sup> × HUCKABEE.  
mark.

NANCY BURNETT (white) sworn :

I was in Mr. Dill's house on Thursday evening, and ten shots were fired ; I saw no one ; they were fired from the eastern side of the house ; both doors were open ; I heard the parties running, but did not see them ; some person said "that is Nancy Burnett," but I could not distinguish the voice.

NANCY <sup>her</sup> × BURNETT.  
mark.

JOHN B. BURNETT (white) sworn :

I was at Mr. Dill's house on Saturday last ; I heard some one in the road say they allowed to come back here on Saturday night and shoot the house into a honey-comb ; there was a crowd standing together. I thought it was Parker's voice, but could not distinguish it or say that it was.

JOHN <sup>his</sup> × BURNETT.  
mark.

WILLIAM TAYLOR sworn :

I was at Mr. Dill's house last night ; I saw Mr. Dill and Nestor Ellison fall ; I think there were about ten shots fired ; they were fired from the eastern side of the house ; about five minutes afterward I saw two persons in the road above Mr. Dill's house. I heard the report of another gun ; at that time I was between fifty and seventy-five yards from there. Did not hear their voices. I did not see any horse ; they were on foot when I saw them. I cannot say which way they went ; I was afraid of being fired on, and kept myself concealed from them.

WILLIAM <sup>his</sup> × TAYLOR.  
mark.

ELIZABETH TAYLOR sworn :

I saw two persons run out of the field on the eastern side of the house ; otherwise I fully corroborate the testimony of my husband, William Taylor, who was with me in Mr. Dill's house at the time. I saw Mr. Dill and Nestor Ellison fall.

ELIZABETH <sup>her</sup> × TAYLOR.  
mark.

ISAAC BAKER (colored :) :

I saw Dr. Glenn and Bill Kelly pass Mr. Teams's house about 9 o'clock last night ; they were riding ; it is about three miles from here (Dill's) to Mr. Teams's.

By CORONER :

Question. How did you know it was Dr. Glenn and Bill Kelly ?

Answer. I knew by their voices.

Q. Had they any guns ?

A. They had no guns that I saw.

Q. Would they have been in a direct road from Dill's house to Dr. Glenn's ?

A. No ; they would not.

Q. How far were you from them ?

A. I was about twenty yards from them.

Q. Was the moon shining bright ?

A. Yes ; the moon was shining very bright.

Q. What colored horses were they riding ?

A. Can't say ; I did not notice the horses.

Q. Were they riding rapidly, or did you observe any excitement about them?

A. They were riding slowly; I saw no excitement about them; they did not stop as they went by. One man was ahead, riding fast.

Q. Where do you live and what took you to Mr. Teams's?

A. I live at Mr. Hornsby's, and I went to Mr. Teams's to see my mother.

Q. What time did you leave Mr. Hornsby's; and if you heard the reports of the guns about what time did you hear them?

A. I left Mr. Hornsby's about seven o'clock. I had just got to mother's house when I heard the reports of the guns. Dr. Glenn and Bill Kelly were going the opposite direction from Mr. Dill's house.

ISAAC <sup>his</sup> × BAKER.  
mark.

### No. 1.

STATE OF SOUTH CAROLINA, *Kershaw District*:

Personally appeared before me, a military commissioner in and for Kershaw and Lancaster districts, South Carolina, Chapman Kirkland, colored, who, being duly sworn, says: On Saturday previous to last election I was at the premises of Mr. Dill, to hear a speech by Mr. Dill. While I was there, and between 3 and 4 o'clock in the afternoon, several men came up; among them I recognized Emanuel Parker in the crowd. They wanted to make a speech. Mr. Dill told them at a meeting after that they might make a speech. Mr. Dill told them the people had heard speaking enough that day, and some other day would do just as well. They then went off. Emanuel Parker said, as he went off, "I got old Dill's eye, and I'll have his head before Saturday night."

CHAPMAN <sup>his</sup> × KIRKLAND.  
mark.

Sworn and subscribed to before me this 19th day of June, 1868.

SAMUEL R. ADAMS.

*Military Commissioner.*

### No. 2.

STATE OF SOUTH CAROLINA, *Kershaw District*:

Personally appeared before me, a military commissioner in and for Kershaw and Lancaster districts, South Carolina, Augustus Lorins, freedman, who, being duly sworn, upon his oath says: I am living on the plantation of Emanuel Parker, in Kershaw district. On or about the 15th of May I went to Mr. Dill's house. On my return to the plantation of Mr. E. Parker, he said to me: "Well, Augustus, what did Mr. Dill have to say?" I told him. "What else," said Parker. I replied, I saw some pictures of Mr. Lincoln. He, Parker, then said, "well, our men put old Lincoln up Shit creek, and we'll put old Dill up." On Thursday, June 4, 1868, I was at Emanuel Parker's plantation. During the afternoon, while I was ploughing, my wife came across the field from the house and told me she was afraid that some bad was going to be done; that she had been up to Mr. Parker's, and little "Tite" told her that Mr. Parker had dressed up and took his gun and two pistols and

went off. I told her to go to the house, and I would come there. When I went to the house I saw Mr. Emanuel Parker there walking on his piazza. This was about sundown. Did not see him again until next morning. It is customary at Mr. Parker's mill to pick the stone every Thursday ready to grind Friday morning. William Parker commenced to do this Thursday, June 4, 1868; but before he finished he left it, locked up the mill, and went off. On the next morning at daybreak (Friday) I saw him putting the hopper and the frame back in the mill. Mr. Ray was also there; two horses stood near them, one a "claybank" and the other a dark bay. The claybank belonged to Mr. Braunne and the bay to Mr. Jac Hayes. Hayes was there. Mr. William Parker does not generally get to the mill until half an hour after sun-up. I went into my wife's house, close to the mill, in the morning, and asked her if she had heard anything. She said she could not hear what they said, but they were talking on mightily and appeared to be very joyful over something.

AUGUSTUS <sup>his</sup> + LORINS.  
mark.

Sworn to and subscribed before me this 12th day of June, 1868.

SAMUEL R. ADAMS,  
*Military Commissioner.*

### No. 3.

STATE OF SOUTH CAROLINA, *Kershaw District:*

Personally appeared before me, a military commissioner in and for Lancaster and Kershaw districts, South Carolina, Nancy Louisa Burnett, who, being duly sworn, on her oath says: On Saturday, May 23, 1868, there was a party of men came up the road from the direction of Mr. Raborn's, and as they were passing the house of Mr. Dill one of them said, "I have a good mind to shoot the house." Another said, "no, there is a woman sitting in the door with a child in her lap." Then some one said, "we'll go round and have old Dill if we have to shoot him through the crowd." From the voice I took it to be Bill Kelly. I recognized in the crowd Dr. William Nelson, John Pickett, and Emanuel Parker. There were about 20 persons in the crowd. I was at the house of Mr. Dill at the time. I was at the house of Mr. Dill on Thursday night, June 4, 1868. A little after dark, as I was walking from the fire-place to the bed, the old man, Nestor Ellison, hailed some person out door with, "Who is that," and at once the persons commenced firing into the house. I turned my back, and I heard Nestor Ellison and Mr. Dill fall. I then fell on the bed, covering my two children, and lay there until Mrs. Dill called me. I then took up my children and ran out to her. As soon as I got out of the door I called out—"Do, gentlemen, if you please, don't kill me and my children." A voice answered, "By God, I've got all I want." They all then ran away. I think by the noise they made in running, and the tracks they left in front of the house, there must have been 15 persons. There were several fine-boot tracks, and one track that looked as if made by an old shoe run over at the side and heel.

NANCY LOUISA <sup>her</sup> + BURNETT.  
mark.

Sworn to and subscribed before me this 11th day of June, 1868.

SAMUEL R. ADAMS,  
*Military Commissioner.*

## No. 4.

STATE OF SOUTH CAROLINA, *Kershaw District*:

Personally appeared before me, a military commissioner in and for Kershaw district and Lancaster district, South Carolina, Samuel Kelly, colored, who, being duly sworn, on his oath says: On the week before the last election, I cannot say exactly what day, I was sitting on a box by Mr. Gerald's store in Camden, South Carolina. Eugene Brown and Jim Edwards were with me, (both colored boys.) While we were sitting there William Kelly was talking with a colored man, and I heard Bill Kelly say to the colored man, "I hear that Dill asked the niggers if he got killed on that side of the river would the niggers burn up the houses." The colored man replied that Mr. Dill never said no such a thing. Bill Kelly then remarked, "If it's the last thing I do I'll kill Dill." I never heard him say any more. He got on his horse and rode off.

SAMUEL + <sup>his</sup>KELLY.  
mark.

Sworn and subscribed before me this 18th day of June, 1868.

SAMUEL R. ADAMS,  
*Military Commissioner.*

## No. 5.

OFFICE MILITARY COMMISSION,

*Kershaw and Lancaster counties, South Carolina, June 10, 1868.*

Personally appeared before me, a military commissioner in and for Kershaw and Lancaster counties, South Carolina, Joseph Nash, colored, who, being duly sworn, deposes and says: On Tuesday, 2d day of June, 1868, William Kelly and a colored man were going down the street in Camden, South Carolina. I spoke to the colored man, "Hallo, partner," and Kelly said, "What the hell do you want with him; God damn you, go and attend to your own business." I said, I am tending to my business. He said, "Yes, by God, you all take old Dill for your God, and God damn him I'll kill him." I had my house full of election tickets at the time.

JOSEPH + <sup>his</sup>NASH.  
mark.

Witness:

WILLIAM H. GRIFFIN.

Sworn to and subscribed in my presence this 10th day of June, 1868.

SAMUEL R. ADAMS,  
*Military Commissioner.*

## No. 6.

STATE OF SOUTH CAROLINA, *Kershaw District*:

Personally appeared before me, a military commissioner in and for Kershaw and Lancaster districts, South Carolina, Hetty Coeksaw *alias* Hetty Berykin, who, being duly sworn, on her oath says: I saw Dr. Glenn at Alex. Berykin's on the day the murder of Mr. Dill was com-

mitted, between 9 and 10 o'clock in the morning. Dr. Glenn was on horseback; rode a sorrel horse with white feet. He staid at Alex. Berykin's about an hour, when Alex. Berykin and Dr. Glenn went up the wood together. When Alex. returned he was alone, and said that he had been at Anderson Benen's house, and that he left Dr. Glenn there. Alex. Berykin was at home all Thursday. At night, when the guns were fired, Alex. was there at the house. He called me to the house door to hear the shots. He said, "you blacks can clear me, as I was at home." Henry Berykin and Julius Ray (colored) went to Columbia Thursday morning and did not return until Friday night. Anderson Benen came over to Alex. Berykin's on Friday evening and asked Alex. if he had heard the news. Alexander said, no. They then went off together and sat on the fence and talked for some two hours, but I do not know what they said. When they finished Anderson Benen went away and Alex. told me that Mr. Dill was killed.

her  
HETTY + COEKSAW.  
mark.

Sworn to and subscribed before me this 19th day of June, 1868.

SAMUEL R. ADAMS,  
*Military Commissioner.*

### No. 7.

STATE OF SOUTH CAROLINA, *Kershaw District:*

Personally appeared before me, a military commissioner in and for Kershaw and Lancaster districts, South Carolina, Edie Coeksaw, alias Berykin, who, being duly sworn, on her oath says: Towards 10 o'clock Thursday morning of the day on which Mr. Dill was murdered, I saw Bill Kelly and Dr. Glenn sneaking in the woods; as soon as Dr. Glenn saw me he came to the house of Alex. Berykin and asked me where Alex. Berykin was; I told him Alex. was in the lot; Dr. Glenn then went into the lot; he stayed there over an hour; Henry and Julius Reary (colored) were in the lot when Dr. Glenn came there, but left before Dr. Glenn left; Bill Kelly did not come to the house but continued sneaking in the woods; he had a blanket on with a hole in the middle through which he stuck his head; while at the lot Dr. Glenn and Alex. were talking very low; when they were through talking Alex. went up the road with Dr. Glenn; Henry and Julius went off with the wagon; Alex. came back just about dinner time, and stayed at home all day; on Saturday after the murder Alex. and Henry told the black folks they must clear them; Henry Berykin said he heard of the murder on the same night, and hurried home fearing something might happen him; on Friday afternoon after the murder Anderson Benen came to Alex. Berykin's and they sat on the fence and talked and laughed together; Alex. Berykin said at first that he did not go off with Dr. Glenn, but afterwards owned it; when the guns were fired Alex. Berykin said, "I believe that Dill is killed."

her  
EDIE + BERYKIN.  
mark.

Sworn to and subscribed before me this 19th day of June, 1868.

SAMUEL R. ADAMS,  
*Military Commissioner.*

## No. 8.

STATE OF SOUTH CAROLINA, *Kershaw District*:

Personally appeared before me, a military commissioner in and for Kershaw and Lancaster districts, South Carolina, Charles Aserum, freedman, who, being duly sworn, deposes and says: I live at Emanuel Parker's; I am his stock-minder; on Thursday, June 4, 1868, in the evening, just before sundown, I went to Mr. Parker's house to get the keys to feed the stock; Mr. Parker was then at the house on the piazza; I got the keys and went to feed the stock; William Kelly and Gardiner Kelly came to Mr. Parker's house and got two bottles of whiskey, and went down through the quarters and into the woods; I took the keys back between sundown and dark, but could not find Mr. Parker about the house; the next day (Friday) Eli Parker and several others came to the house of Mr. Emanuel Parker, and they were laughing and talking how old Dill was killed; Mr. Man. Parker said to Ely Parker, "Stand your ground; I have plenty of lead in the house."

CHARLES <sup>his</sup> + ASERUM.  
mark.

Witness:

WILLIAM H. GRIFFIN.

Sworn to and subscribed before me this 12th day of June, 1868.

SAMUEL R. ADAMS,  
*Military Commissioner.*

## No. 9.

STATE OF SOUTH CAROLINA, *Kershaw District*:

Personally appeared before me, a military commissioner in and for Kershaw and Lancaster districts, South Carolina, Joseph Slade, freedman, who, being duly sworn, deposes and says: I live on Emanuel Parker's plantation, Kershaw district, South Carolina; on Thursday, June 4, 1868, about dinner time, I saw William Kelly and Gardiner Kelly walking down to Mr. Parker's house; it was very unusual for William Kelly and Gardiner Kelly to come to Mr. Parker's.

JOSEPH <sup>his</sup> + SLADE.  
mark.

Sworn to and subscribed before me this 12th day of June, 1868.

SAMUEL R. ADAMS,  
*Military Commissioner.*

## No. 10.

STATE OF SOUTH CAROLINA, *Kershaw District*:

Personally appeared before me, a military commissioner in and for Kershaw and Lancaster counties, South Carolina, William Taylor, who, upon oath, says: On Thursday night, June 4, 1868, I was at the house of Mr. S. G. W. Dill; while I was sitting listening to Mr. Dill several shots were fired from the yard on the eastern side of the house into the house, and Mr. Dill and Nestor Ellison (colored) fell; as soon as Mr. Dill

tell I fell out of the west door of the house to save myself, and ran across the lot to the road on the north side of the house and hid in the bushes; while I was hid in the bushes two men came up through the bushes; I was afraid they were after me and fell back further in the bushes; did not see then who the men were; they were on foot; I do not know which way they went; I live at Thomas Saunder's plantation, in Sumter district, South Carolina; I think there were some ten shots fired.

WILLIAM <sup>his</sup> + TAYLOR.  
mark.

Witness:

WILLIAM H. GRIFFIN.

Sworn to and subscribed before me this 12th day of June, 1868.

SAMUEL R. ADAMS,  
*Military Commissioner.*

### No. 11.

STATE OF SOUTH CAROLINA, *Kershaw District*:

Personally appeared before me, a military commissioner in and for Kershaw and Lancaster districts, South Carolina, Elizabeth Taylor, who, upon oath, says: On the night of Thursday, June 4, 1868, I was at the house of Mr. S. G. W. Dill, in Kershaw district; about dark, or soon after, while I was talking to Mrs. Dill, several shots were fired into the house of Mr. Dill; I saw Nestor Ellison and Mr. Dill fall; the shots came from the east side of the house; as soon as I could I jumped up and ran out the door on the west side of the house, and stepped to the south corner, when I saw two men running towards the woods and get over the fence; I took them to be tall men; did not see but two men; just then Mrs. Dill fell out the house against me, and I did not see anything more.

ELIZABETH <sup>her</sup> + TAYLOR.  
mark.

Witness:

WILLIAM H. GRIFFIN.

Sworn and subscribed to before me this 12th day of June, 1868.

SAMUEL R. ADAMS,  
*Military Commissioner.*

### No. 12.

STATE OF SOUTH CAROLINA, *Kershaw District*:

Personally appears before me, a military commissioner in and for Kershaw and Lancaster districts, South Carolina, Thomas Brevard, colored, who, being duly sworn, on his oath says: I live with Littleton Isbell, in Kershaw district, South Carolina. On Thursday evening, June 4, 1868, about dusk I started for my mother's house. My mother lives at James Team's plantation. When I got to Squire Parker's wife's house I heard the report of several guns from the direction of Mr. Dill's house. After the firing commenced I stood there until the last shot was fired. After the shooting stopped I went on to Ely Parker's house and met Isaac Perry there and stopped to talk with him, and told him I heard the report of the guns, and I think they have put Squire Dill up to night.



I then went on, and when I passed Levi Peak's house I crossed the fence and soon heard some men coming through the old field on the road leading from Mobley's place to James Team's hill. They were talking, and heard Bill Kelly say, "we have got him." I recognized them both. One was Bill Kelly and the other was Dr. Glenn. They were riding horseback, and their horses were walking. There was one horseman in front of these two men riding at a gallop. When they had passed me I ran by a footpath to my mother's house, about three-quarters of a mile off, and when I got there the horseman riding fast was passing Mr. Team's house. In few minutes Bill Kelly and Dr. Glenn came riding up. They were about one hundred and fifty yards behind the first man. It is a mile by the road to Mr. James Team's house from where I first saw the men. When I saw them the second time I recognized them again as Bill Kelly and Dr. Glenn. I then went to my mother's house and told her of it, and she told me not to say anything about it. I told her I would certain sure.

THOMAS <sup>his</sup> + BREVARD.  
mark,

Sworn and subscribed to before me, this 13th day of June, 1868.

SAMUEL R. ADAMS,  
*Military Commissioner.*

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No. 13.

STATE OF SOUTH CAROLINA, *Kershaw District:*

Personally appeared before me, a military commissioner in and for the districts of Kershaw and Lancaster, South Carolina, Isaac Barker, freed man, who, being duly sworn, on his oath says: On the evening of Thursday, June 4, 1868, I was at my mother's house on the plantation of James Teams, in Kershaw district, South Carolina. About eight o'clock in the evening of this day I heard the report of guns in the direction of Mr. Dill's house. I think about ten shots were fired. About nine o'clock the same evening my brother Thomas Brevard came running up through the yard in his bare feet, with his hat in his hands. My mother called to him, but he did not stop until he had reached Mr. Teames' house. I started after him and stopped between the smoke-house and Mr. Teames' house, thinking he had gone into the house. In a few moments a man came riding up at a gallop and rode on by, going towards the west. I did not know the man. In a few minutes two other men came riding up at a walk. I recognized one as Bill Kelly and the other as Dr. Glenn. They rode by, and after they had passed Mr. Teames' house my brother Thomas stepped out and said, "I got them two fellows." Just after the two men had passed I heard one say, "I've saved him." Cannot say which one it was.

ISAAC <sup>his</sup> + BARKER.  
mark,

Witness:

WILLIAM H. GRIFFIN.

Sworn and subscribed to in my presence, this 12th day of June, 1868.

SAMUEL R. ADAMS,  
*Military Commissioner.*

## No. 14.

STATE OF SOUTH CAROLINA, *Kershaw District* :

Personally appeared before me, a military commissioner in and for Kershaw and Lancaster districts, South Carolina, Titus Williams, colored, who, being duly sworn, on his oath says: I live at Mr. William Parker's. On Thursday that Mr. Dill was killed, in the evening just before dark, I saw Mr. William Parker take his pistol and buckle it round him, and start in the direction of Mrs. Sarah Parker's. His pistol was a five-shooter.

TITUS <sup>his</sup> + WILLIAMS.  
mark.

Sworn to and subscribed before me, this 20th day of June, 1868.

SAMUEL R. ADAMS,  
*Military Commissioner.*

## No. 15.

STATE OF SOUTH CAROLINA, *Kershaw District* :

Personally appeared before me, a military commissioner in and for Kershaw and Lancaster districts, South Carolina, Ann Catherine Bush, colored, who, being duly sworn, on her oath says: I am nurse at Mr. William Parker's house. On Thursday, the day Mr. Dill was killed, Mr. Pink Kelly came to the house of William Parker and staid there a short time, when he went to the mill. About dinner time William Parker and Pink Kelly came back to the house and eat dinner. After dinner they went toward Mr. Gardiner Kelly's. They came back to Mr. William Parker's house when the sun was about two hours high. Pink Kelly soon after went home. After supper, just before dark, William Parker buckled his pistol around him and went down towards Mrs. Sarah Parker's house. I did not see him again that night. When I went to the house in the morning Mr. Parker had gone to the mill, Mrs. Parker said.

ANN CATHERINE <sup>her</sup> + BUSH.  
mark.

Sworn to and subscribed before me, this 20th day of June, 1868.

SAMUEL R. ADAMS,  
*Military Commissioner.*

## No. 16.

STATE OF SOUTH CAROLINA, *Kershaw District* :

Personally appeared before me, a military commissioner in and for Kershaw and Lancaster districts, South Carolina, Penny Bush, (colored,) who, being duly sworn on her oath, says: I live at William Parker's. I was there on Thursday that Mr. Dill was killed. When I came from the field at dinner time on Thursday, Mr. Pink Kelly and William Parker were at the dinner table. After they eat their dinner they sent our dinner to us, and while we were eating they went off towards Mr. Gardiner Kelly's. I asked Mrs. Parker where they were going, and she said they were going to see Mr. Gardiner Kelly. I did not see Mr. Kelly again till about sunset. When I went home about

dusk, I saw him come out the room and go out in the big part of the house. I did not see or hear anything else.

PENNY <sup>his</sup> × BUSH.  
mark.

Sworn to and subscribed before me this 20th day of June, 1868.

SAMUEL R. ADAMS,  
*Military Commissioner.*

No 17.

STATE OF SOUTH CAROLINA, *Kershaw District :*

Personally appeared before me, a military commissioner in and for Kershaw and Lancaster districts, South Carolina, Jordan Brown, (colored,) who being duly sworn, on his oath says : On Thursday, June 4, 1868, the day on which Mr. Dill was killed, I was working at William Parker's place. William Parker went off in the morning; said he was going to Emanuel Parker's mill. About 9 o'clock in the morning a man came to Mr. William Parker's house. I heard Mrs. Parker call him Mr. Kelly. I never saw this man there before. This man staid at Mr. Parker's house until about half-past 1 o'clock in the afternoon. I did not see William Parker after he left in the morning until I saw him at the dinner table with Mr. Kelly. I then went to my dinner in the kitchen. Before I got my dinner and came out, they (Mr. William Parker and Kelly) were gone. In the afternoon of the same day, (Thursday,) when the sun was about one hour and a half high, Emanuel Parker came to the field where I was working. The field was about a quarter of a mile from Man. Parker's house. Man. Parker came from the big road, nearly in the direction of William Parker's house, but a little north of William Parker's house. He said very little to me and then went toward his own house (Man. Parker's.) At night I knocked off work a little before sundown, and got to Mr. William Parker's house just about sundown. When I got to the house I saw William Parker at his house. In a few minutes after I got to the house, I went to Mr. Parker to get some tobacco. He was going out the gate when I saw him. I called him and told him I wanted some tobacco. He told me he was in a hurry, and if he did not come back directly he would give me the tobacco in the morning. He was in his shirt sleeves. I did not see him again that night. I went to the house in the morning of Friday, half an hour before sun-up, and Mr. Parker was not at home.

JORDAN <sup>his</sup> × BROWN.  
mark.

Sworn to and subscribed before me this 20th day of June, 1868.

SAMUEL R. ADAMS.

No. 18.

STATE OF SOUTH CAROLINA, *Kershaw District :*

Personally appeared before me, a military commissioner in and for Kershaw and Lancaster counties, South Carolina, Robert Pool, (colored,) who, being duly sworn, on his oath says: I live at Mrs. Amanda Hogan's place. On Thursday, one week before Mr. Dill was killed, I went to Burrell Albert's to get some corn; while I was there Mr. B. Albert asked

me if I was a radical; I told him no, I had not joined any side yet. He asked me if I had been to any of Dill's speeches; I told him I had been to one last Christmas. He asked me if I had joined; I told him no, I was too young to join. He said then, "If Dill lives four days after Saturday, it will be the outside; a man who wouldn't fight for what his forefathers gave him is no man at all." This is all he said that I could understand.

ROBERT <sup>his</sup> + POOL.  
mark.

Sworn to and subscribed before me, this 23d day of June, 1868.

SAMUEL R. ADAMS,  
*Military Commissioner.*

### No. 19.

#### STATE OF SOUTH CAROLINA, *Kershaw District:*

Personally appeared before me, a commissioned officer in the United States army, Rachel Hogan, (colored,) who being duly sworn, on her oath says: On Thursday, June 4, 1868, Dr. John Glenn went away from his house about 7 o'clock in the morning; he went horseback; he had a large pistol, a revolver, I think, in his side coat-pocket. When he goes away to visit his patients he takes with him his saddle-bags, but he did not take them that morning. He did not say where he was going, but said he would be back about 1 o'clock in the afternoon. He did not come back until about 12 o'clock that night. I was awake and heard the clock strike 12. He went to bed; I heard him washing his feet at the door. On Friday morning, the 5th, the Mrs. Glenn gave me his clothes to wash; she gave me a pair of woollen pants and a coat also of wool, a flannel shirt and a cotton shirt; they were very muddy; the mud was on the lower part of his pants. His shirt-sleeves and bosom and handkerchief were smutty—I mean blackened. His coat was not muddy; his drawers were dyed; looked as if he had been in the bushes where there was dew. I saw him put these clothes on on Thursday morning; they were clean then; I washed the shirt hard, but could not get the smut out of it, nor out of the handkerchief. Further, that a few days after Dr. Glenn was arrested, Magistrate John Crumpton came to the doctor's (Glenn's) house. Before he came Mrs. Glenn told me to tell the magistrate that the doctor was at home all day on Thursday, June 4. She told me she would whip me if I didn't say so. I told the magistrate that Doctor Glenn was at home all day and night on Thursday, June 4, because I was afraid to do otherwise; I have often been whipped by the doctor and Mrs. Glenn since I have been free.

Young John Sessions came there at the doctor's before supper and staid until after supper; he went away alone.

RACHEL <sup>her</sup> + HOGAN.  
mark.

Sworn to and subscribed before me, this 30th day of June, 1868.

E. R. HILLES,  
*First Lieutenant 5th Artillery.*

## No. 20.

STATE OF SOUTH CAROLINA, *District of Richland :*

Personally appeared before me Sergeant Francis Keustler, company K, 8th infantry, United States army, who being duly sworn, deposes and says: That in obedience to instructions from Lieutenant F. A. Whitney, 8th infantry, he proceeded from Camden, South Carolina, at 3 o'clock a. m., on the morning of the 9th of June, 1868, to the residences and for the purpose of arresting Emanuel Parker, William Parker, George Bowen, (colored,) Charley ———, (colored,) William Kelly, and Dr. ——— Glenn; that he first proceeded to William Parker's residence, and not finding him at home, left two men at his house with instructions to arrest him as soon as he should return. That he then, with the remainder of his party, proceeded to Emanuel Parker's residence, and during his stay there, saw one shot-gun and a number of rifles, all of which were in one room. Arrested Emanuel Parker, George Bowen, (colored,) and Charley ———, (colored,) left them in charge of two of his party, and returned to the house of William Parker; that on his way back he passed some eight or ten mounted men, some of which were armed with pistols or revolvers, and one with a gun; that by the time he reached William Parker's house, he (Parker) had been arrested by the two men he had left there; that he sent the prisoner (Parker) under charge of a guard to Emanuel Parker's house, there to meet and return with the guards and prisoner at that place to Camden, South Carolina, and report to Lieutenant F. A. Whitney, 8th infantry; that he then proceeded to arrest William Kelly and Dr. Glenn; that in Dr. Glenn's house he saw a number of rifles all in one room; that Dr. Glenn requested of him permission to arm himself, which he refused; and that after arresting all the prisoners as directed, he returned to Camden, arriving there at 7 o'clock p. m. of the 9th of June, 1868.

FRANCIS KEUSTLER,  
*Sergeant Co. K, 8th Infantry.*

Sworn to and subscribed before me this 29th day of June, 1868.

JAMES CHESTER,  
*First Lieut. 3d Artillery, B't Capt. U. S. A., Post Adjutant,  
Judge Advocate.*

## No. 21.

STATE OF SOUTH CAROLINA, *County of Charleston :*

In the matter of the murder of Solomon G. W. Dill.

Robert Jones (colored) being duly sworn, deposes and says: That on the afternoon of the 3d day of June, 1868, when on the road from Camden, going to Huckabee's plantation, Geo. Mattox wanted him to go to work the next day on his place; deponent went there next day and shelled a bushel and one-half a bushel of corn. On the afternoon of the 4th of June Sam. Mattox (father of Geo. Mattox) told deponent to go to John Pickett's wheat patch, only a short distance from Mattox's house, where he would meet Joe Huckabee and Geo. Mattox, and they would tell deponent what he was to do; deponent went there as directed, and met Joe Huckabee, Geo. Mattox, Abram Rabon, William Nelson, and John Pickett. Joe Huckabee said to deponent, "Bob, you stay here and hold these horses; we are going to meet the other company on the

other road at Pink Kelly's store, and then we are all going from there to Dill's house and kill Dill and all he had there to guard him; there will be enough of us to do it." Deponent says that this conversation took place at a point about 300 yards from, and on the direct road to, Dill's house. The party then left deponent in charge of five horses, and went off, telling him that the party they were going to meet at Kelly's store were Emanuel Parker and his son William Parker, Dr. John A. Glenn, and William Kelly. John Mickle joined the party as it started off for Kelly's store. A very short time thereafter deponent heard firing at Dill's house, and he was then satisfied that Dill was killed, because Huckabee had said to deponent before leaving him, "Bob, I have more confidence in you than in a heap of white folks; we have picked out the best shooters, and we are going to creep up to Dill's house and kill Dill and all who are with him." Deponent further says that the reason Huckabee put so much confidence in him is this: That about planting time in the spring of 1867, Joe Huckabee, after whipping a black man, named Bill, and running a stick up his back-side, (fundament,) and tearing out his entrails, then hanged him by the neck, and killed him with buck-shot. Another white man, Josh Watts, was with Huckabee when this was done. Deponent, on the following day, with others, buried the body, and never said anything about it.

Soon after the firing at Dill's house Joe Huckabee, Wm. Nelson, John Pickett, Abram Rabon, and Geo. Mattox came back to where deponent was holding the horses. Joe Huckabee said to him, "Bob, the thing is all right; we've done killed Dill." He then told deponent to go to the Molley place and stay all night; it is close by, and in the morning to go over to Dill's place and listen to what was said, and then come and tell him of it. Deponent did as ordered, and on next morning went to Dill's house; staid there about an hour; saw the dead bodies of Dill and Ellison, and Mrs. Dill, who was wounded, and then went to Huckabee's house, which is about three miles from Dill's, and told Huckabee what he had seen. Huckabee then told deponent he must not tell anything he knew about this matter, and he would give him money to go to Florida. On Saturday deponent went to Camden and got a little tight, and while tight met Judge W. Z. Leitner, a lawyer of that place, and commenced talking to him about the Dill murder. Leitner asked deponent if he knew anything about the murder. Deponent said he did, and called the names of men engaged in it as already stated. Leitner then took a \$5 bill out of his pocket and handed it to deponent, saying at the same time, "You must not call those names. I lend you this \$5, and you can pay it back whenever you can."

The day after Dill was murdered Huckabee said to deponent, in the same conversation already referred to, that he was the head man of the party that killed Dill, and that Wm. Kelly, Emanuel Parker, Dr. Jno. A. Glenn, Wm. Parker, M. P. Kelly, Abram Rabon, and himself were the seven men that went to the house and did the shooting, and that William Nelson, Jno. Pickett, Jno. Mickle, and George Mattox were behind to shoot any of Dill's guards that might come up. George Mattox was there at the time. He keeps Huckabee's store for him. Huckabee said to Geo. Mattox, in hearing of deponent, "George, you was too scared; I'd trust Bob before I would trust you, and I fear if you are arrested you'll tell all about it; but you must let your neck be pulled off before you own it." Huckabee also asked deponent how Dill was lying, and where he was shot, and where Mrs. Dill was shot; and when deponent described how the bodies were lying, and where they were shot, and where Mrs. Dill was wounded, Huckabee said, "Yes, Bob, I see you have been

there. I shot Mrs. Dill myself, and Ellison and Dill were lying just as you say they are, when I left there." On the afternoon before the murder, when deponent was coming out from Camden with Huckabee, Huckabee showed deponent a bag of buck-shot, and said, "Bob, these are to kill Dill with, and Huckabee and Rabon both said that Theodore Lang and Harry Clark were the richest men in Camden, and that they wanted Dill killed, and that what they wanted done would be done before Saturday night. Deponent further says that when he was arrested by detectives near Camden, he was placed in the same cell in the town hall with Geo. Mattox one night. During that night Mattox asked deponent—"Bob, what are you in here for?" Deponent answered that he did not know. Mattox then said, "Bob, you must not say anything about this Dill murder, or call any of our names, for Joe Huckabee says we must all suffer ourselves to be killed before we say anything about it." Deponent further says that Huckabee told him that he would serve him the same as he had another nigger (meaning the murder already referred to) if he told what he knew about the Dill murder, and any trouble came of it. Deponent further says that the reason he did not give his evidence before the coroner's inquest on the bodies of Dill and Ellison was because he was afraid he would be killed if he did so.

ROBERT <sup>his</sup> + JONES.  
mark.

Subscribed and sworn to before me this 1st day of July, 1868.

GEO. F. PRICE,  
*First Lieutenant 5th United States Cavalry,  
Assistant to Judge Advocate, Second Military District.*

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No. 22.

STATE OF SOUTH CAROLINA, *Kershaw county:*

Personally appeared before me, a military commissioner in and for Kershaw and Lancaster counties, South Carolina, Millie Peay, (colored,) who, being duly sworn, on her oath says: I live with John Mickle, at the Peay place, Kershaw county, South Carolina. I am John Mickle's cook. On Thursday, the day Mr. Dill was killed, I was at Mr. Mickle's house. About dusk of that day Mr. John Mickle came to the house from the field on his horse; got off his horse, and hitched it, and came in the house and got a drink of water, and then went out, got on his horse, and rode off toward Mr. Rabon's. I sent my little girl after him for the keys to get out the supper, but Mr. Mickle paid no attention to her, but rode on. It was about 10 o'clock at night when John Mickle returned. He called for supper, and I told him it must be nigh on to 10 o'clock. He replied, "I don't care if it is an hour before day." I got his supper for him, and after eating it he went to bed. Mr. Mickle told me next day that Dill was killed, and that the Ku-Klux had come from Tennessee to do it.

MILLIE <sup>her</sup> + PEAY.  
mark.

Sworn and subscribed before me this 25th day of June, 1868.

SAMUEL R. ADAMS,  
*Military Commissioner.*

CAMDEN, SOUTH CAROLINA, *June 21, 1868.*

COLONEL: I have the honor to inform you that on Friday last, 19th instant, we arrested Robert Jones, (colored,) who was employed by Joseph Huckabee to hold the horses of him, (Huckabee,) Samuel Mattox, and George Mattox, while they (Huckabee and the Mattoxes) went to kill Dill.

These parties told Robert Jones that they were to meet Dr. Glenn, William Kelly, William Parker, Mr. Rabon, Pink Kelly, and Thomas Sessions, before they got to Dill's house, and also that there was enough of them, (the murderers,) if Dill had any friends there, to kill them all. I arrested Huckabee, Pink Kelly, and think I will have the balance tomorrow. I think these were all that were at Dill's house the night of the murder.

I am, very respectfully, your obedient servant,

JOHN B. HUBBARD.

Colonel H. B. JUDD,

*Provost Marshal General, Second Military District.*

*Statement of Robert Jones, (colored.)*

In the party that left Camden on the day before the murder were George Mattox, Joseph Huckabee, Sam. Mattox, (old man,) Abraham Raburn, Dr. William Nelson, John Pickett, John Mickel, William Kelley, Dr. Glenn, Emanuel Parker and William Parker. George Mattox got me to stay there and work. Next morning after breakfast we started to chop cotton, when he (George Mattox) came where we were working and said, "Bob, who did you vote for?" I said I did not vote for anybody; I only put my name down; when he said, "You had no business to put your name down," at the same time saying, "Do you know what we want you to do?" I said "No, sir;" he said "They are going to put Dill up this week," meaning they were going to kill him, and the way they were going to do it was as follows: seven of us will creep up to the house, which they did, and by the time old man Nestor said, "Who's there?" they fired, bang! bang! She (Mrs. Dill) jumped and ran over to the fire-place, and he said he "levelled in on her." Then they asked me if I knew anything about it.

Question. Did he ask you when he was shot?

Answer. He told me he was sitting under a big glass with his back leaning against the house, as they went in.

Q. Did he say that he aimed to shoot him in the mouth?

A. Yes, sir.

Q. And he asked you if he was shot in the mouth?

A. Yes, sir; and he asked me if I thought he was gone up, and I said I knew he was gone up.

Q. What did he say then?

A. He said "I'm satisfied now, as I can get you all to vote for the democratic party." He showed me a bag full of buckshot.

Q. What did he say he was going to do with it?

A. He said, "We bought this powder to shoot Dill and all his detectives around him." Says he, "You were with me when we killed that nigger." I said "Yes, sir." "Well, I'm going to put Dill up the same way."

(Goes on to relate a long story about a nigger that Huckabee and two other men took across the river, to whom they gave 700 lashes.)



Q. Why did he mention this matter to you?

A. "You kept that quiet; don't betray me now." I said "No, sir."

Q. Were those clothes promised to you before the murder of Dill?

A. ———

Q. When you went after the clothes what did he say?

A. He said "I will hold them, and if you mention anything I will put you up." So I put out.

Q. You cleared out?

A. Yes, sir; I put out and went down to Camden.

Q. Who was it that loaned you \$5?

A. Captain Leitner, (Judge Leitner.)

Q. What did he loan you \$5 for?

A. He said, "Do you know anything about Mr. Dill's murder?" I said "Yes," and mentioned the names of Joe Huckabee, Emanuel Parker, and all of them. Says he, "You stop that right here, don't you call those names, I am the man to clear them; if you want some money I will lend you \$5 and you can pay me when you get some, if not, it is all right; but, remember, don't you call those names."

Q. You was working for old Sam. Mattox on the afternoon of the murder?

A. Yes, sir.

Q. What did you do that afternoon?

A. I shelled a bushel and a half of corn.

Q. When you were shelling the corn, what was said to you by Mattox?

A. When he came back he sent me up the road to meet Joe Huckabee, his son, George Mattox, and Dr. Nelson.

Q. What did he say they were going to do?

A. They said they were going to kill Dill, and that they were going in a party strong enough to kill Dill and all his guards.

Q. What time did they say they were going to do it?

A. They said about supper time; they would kill him as they were going back home.

Q. What did they say they were going to kill him for?

A. They said that if it was not for Dill they could get them all to vote the democratic ticket, and that was the reason they wanted to kill him. On the road from Camden they said they would kill him before Saturday night.

Q. Did they have any whiskey in the party?

A. Harry Clark and Mr. Raburn said, "Boys, here is plenty of money to buy ammunition and whiskey." He put the whiskey by Kelly's store and said, "There is plenty for everybody to drink, and that everything would be straight by Saturday night." Joe Huckabee said, "I'm ready now; don't care if you do it as we go home." He said to me, "Bob, I have put confidence in you because I know you will keep it." I said "Yes, sir." He told Emanuel Parker to bring a colored man with him to mind his horse, and said "I will bring another."

Q. What did they say going out about having the wealthiest men in Camden in the party?

A. Joe Huckabee and Mr. Raburn said they had T. Lang and Harry Clark, the richest men in Camden, to back them, and what they wanted done would be done by Saturday night. Joe Huckabee said "Here is a fellow I put more confidence in than half the white men."

Q. Why did they put so much confidence in you?

A. One night a thief came in the yard to steal the horses; we tried to catch him, but he got away; so I put on my belt with a pistol in it and

started off after him. I caught him and brought him back. They said, "Where is your prisoner?" I said, "There he is," pointing to him, when he said, "My God, old fellow, I shall always stick to you."

Q. What did they do to the thief?

A. They gave him 500 lashes, made him drink a quart of liquor, and then sent him over the river.

Q. The night that George Mattox came in the jail, what did you say?

A. He said, "Bob, what have brought me here for?" I said, "I don't know." After a while, he rolled over and shook me, and said, "Did you tell anything about what we did with Mr. Dill?" I said, "No, sir; I have not told anything about." "Bobbie," says he, "don't you care what they offer to pay you, don't call our names." I said, "Oh, no, sir; I won't say anything about it." He said, "I think they may have got me here for that." I said "I don't think that is it, because they did not say anything to me about it."

Q. What did Joe Huckabee say to George Mattox when he was arrested?

A. He said, "You must suffer death before you own it."

Personally appeared before me a justice of the peace, Charles Miller, who being duly sworn according to law, deposeeth and says that on the night of the 27th of July, 1868, in conversation with the following-named persons, conversation hereafter stated took place: Dr. Glenn, William Kelly, George Mattox, Joseph Huckabee, Emanuel Parker. On the evening of the 4th of June they met at a place in Kershaw county, near Mr. George W. Dill's house, the object of the meeting was that they supposed a crowd of niggers were guarding him, and that their intention was to engage the niggers in fight, and kill every one of them. In coming near the house they sent George Bowen (colored) to Dill's house to ascertain for certain whether there were any niggers there. On his return from the house he informed them that there were but two niggers there and Mr. Dill. Then they held a conversation with the following-named men: Dr. Nelson, Pink Kelly, Abraham Rabon, John Sessions, John McKiel, John Pickett, Dr. McCond, and his brother, Hayes, Captain Wadlow, Warren, old man Teames, which resulted that they should leave Dill's house for the present unmolested, until they could find the entire negro guard stationed at his house. Immediately after this conversation had taken place, Dr. Glenn, William Kelly, George Mattox, Joseph Huckabee, went back to Dill's house, and said that John Sessions and Hayes accompanied them for the purpose of killing Dill and the niggers that were there. On reaching the house they perceived a nigger in the front door, and Dill in the back door, with a gun in his lap. George Mattox said that his part was to shoot the nigger in the front door, and did so, and saw him fall simultaneously with the report of his gun. Glenn, Kelly, Sessions, and Hayes were to fire on Dill and any other person who might try to escape from the house. Huckabee reserved his fire, and while Mrs. Dill was attempting to get out of the house he fired and shot her in the right hip. A nigger man and woman ran out of the house; the former was pursued by the party, but escaped on account of the darkness of the night in the woods.

Glenn, Kelly, Mattox, Huckabee, Sessions, and Hayes left Dill's house and joined the other party, and related what they had done, saying that they killed Dill, a nigger and the woman, and Huckabee said, "damn her, I wanted to kill her any way." Then the whole party proceeded and met four armed niggers going in the direction of Dill's house, for the

purpose of guarding Dill's house. On approaching the niggers, one shot was fired at the niggers by Dr. Glenn from a revolver, without taking any effect. The niggers then started to run, when they were halted and told if they attempted to run, every one of them would be killed. After they had halted, the party asked them where they were going, to which they replied, that they were going to Mr. Dill's house on business. The party then told them to pass on, charging them not to say that they had met any one, under penalty of death. Breese and Ransleech and two other names unknown were the names of the niggers who were met by the party; the two unknown negroes are residing in Fairfield county. The whole party, while in conversation with me, told me that they intended to fasten the guilt of the murder of Dill and the nigger on these four niggers, and that if I remained quiet and mum, they would reward me handsomely, that I should have at least one thousand dollars of the reward offered by General Canby. In a conversation between Mattox and the Jailor Easterly of the Charleston jail, the following conversation took place, which I distinctly heard, to wit: "Never mind, you fellows may remain easy without fear or dread of Hubbard. There is a certain party in this city that intend to pick a fuss with him in the Charleston hotel and kill him."

The quotation remark was made use of by the jailor, after the party confined had openly avowed their intention to kill Hubbard.

CHARLES MILLER.

Sworn to before me, this 8th August, 1868.

H. W. SCHRODER, *Magistrate.*

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### *The murder of Mr. Dill.*

E. J. Conaway, esq., of Camden writes as follows in regard to facts connected with the recent murder of Mr. Dill: On Saturday, May 30, the democrats of this section had a large meeting and barbeque. It was convened near the residence of Mr. Dill. During this meeting a delegation was repeatedly sent to Mr. Dill, inviting him to be present and participate with them in the meeting. This he frankly declined doing, saying, he did not wish to interfere with them nor wish them to interfere with him; at last they made an effort to go and take him by violence, but it happened that he had a few friends with him and those who came for him concluded it would be prudent to leave without their intended victim. Before leaving, however, they threatened to exterminate Dill and his whole party. This was just before our county election. They swore vengeance on Dill if he was elected. The republicans carried the election and some of our best citizens were on the ticket. They had been down on Mr. Dill since the time of his election to the constitutional convention. Last Thursday evening they paid him another visit. Mr. Dill was quietly sitting in his cabin with his family, consisting of his wife and an adopted child, and an old colored man about 75 or 80 years of age, who was on a visit to Mr. Dill. The assailants sneaked up to the cabin and fired in, killing the colored man and Dill, and at the same time severely wounding Mrs. Dill, which it is feared may prove fatal, and then these valiant defenders of democracy made good their escape. Up to this date, (June 8,) no effort has been made, not even to the issuing of a warrant to make any arrests. It is claimed by indifferent officials that there is not sufficient evidence to warrant any arrests. As I was upon the jury of inquest held upon the bodies, I know that there is sufficient evidence to justify immediate investigation. Our people here are

greatly excited, expecting that we are soon to have another war. You cannot imagine what times we are having here.

Rev. T. W. Lewis, P. E. of the Charleston district, attends his quarterly meeting next Sabbath at Camden, which is near the scene of this murder, and on his return may be able to give our readers further particulars in regard to this unfortunate affair.

There is still a large amount of rebel intolerance at the south, which should be subdued rather than fostered and encouraged. It is high time that loyal men should be protected in their rights in every portion of the country.

My reasons for believing why there could have been immediate arrests made in the case of the killing of Mr. S. G. W. Dill—

1. That a witness testified before a jury sitting in court of inquest over the body of Dill, that a certain party of men did call upon said Dill for the purpose of inducing him to attend one of their political meetings, with which request Dill refused to comply.

2. And that the said same party did pledge themselves then and there to be revenged at no less cost than the life of the said Dill.

3. Furthermore, that a witness testified before the jury that he did, on the evening of the murder, which was a few days after the threatening, see a portion of the same party of men, giving the names of the individuals so seen by him, on the road leading from the said Dill's house.

4. That the dead body of Dill was found by the jury lying upon the floor of the house of the said Dill.

EDWARD J. CONAWAY.

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*Evidence against John Burdell and Eli Parker.*

Flora (black girl on Burdell's plantation) says that Mary Burdell (John Burdell's mistress,) told her that Eli Parker sent word or a note to John Burdell by Aaron Teams, (colored,) who rode a gray horse, to listen at the negro quarters on Burdell's plantation and try and find out whether the negroes were talking about Dill's death; and if they were, to kill them through the cracks of the houses.\*

*Evidence against John Sessions, Dr. Glenn, and William Kelly.*

Mary Burdell said to Fanny, (colored, on Burdell's plantation,) that James Teams came to John Burdell on Saturday after the murder of Dill and took dinner there, and while at dinner said to John Burdell that young John Sessions, Dr. Glenn, and William Kelly called at his (Teams's) house and wanted Willey Teams, his (Teams's) son, to go with them to kill Dill, but that he (Teams) would not let Willey go, and that he (Teams) was glad of it now.†

*Evidence against Eli Parker, June 28.—Parker released June 27.—This statement cannot be proved.*

Fanny and Lucy (colored) live on John Burdell's place, went over to Eli Parker's on Thursday evening of the murder; heard a big crowd about the place; that the crowd went away about dark; saw Eli Parker returning home on horseback about daylight.

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\* This is satisfactorily explained by John Burdell.

† This is denied by all.

*Evidence against William Kelly and Emanuel Parker.*

Daniel Lighton (colored) lives on Emanuel Parker's plantation; says, about 12 o'clock Thursday, June, 4, 1863, he saw Wm. Kelly come to the house; never saw him at the house before that time.

*Evidence against Burnell Albert.*

Robert Pool (colored) says that he heard Burnell Albert say before the speaking on Saturday before the murder of Dill, that it would not be four days after the speech, at the outside, before Dill would be killed.

*Memorandum made by Solomon G. W. Dill, May 30, 1868. Party which approached his house threatening to shoot into it and kill him.*

NAMES.—Dr. William Nelson, Emanuel Parker, John Burdell, Henry Clark, James Teams, John Whitaker, William M. Culler, John R. Pickett, Robert McCoy, William Depass, Neal Ray, Isaac Mattox, jr., Lawson Brannen, John Nelson, Littleton Isbell, Charles McDowell, George Bowen, (colored,) Eli W. Parker, Robert Muckle, Alexander Baykin.

WITNESSES.—Fanwell Harrison against R. and B. Michler. Louisa Robertson against E. Parker.

*Dill murder.*

If the proper magistrate can be found I think the safest course to secure their detention is, swear out warrants against them before a magistrate, and, in form, rearrest them and let him bind them over for trial at the next term of the court.

This would be a precaution, and if a writ of *habeas corpus* was issued against them, this, with the military order, could be urged in reply.

I would suggest that Kennapaux or Shruder be quietly sounded on the subject. I think they would bind over, as matter of course, on proper affidavits. If they would, it would be a complete bar to any release.

I regard military orders good, but they are not likely to be regarded in such cases as these, as they do not express in *civil* form the exact cause of justice.

CORBIX.

This proceeding before a magistrate, if he is inclined, may all be done quietly and without the knowledge of the public.

*Witnesses wanted.*

Aaron Teams, (colored,) on Eli Parker's place, Mary Burdell, on Burdell's plantation, Flora, (black girl,) on Burdell's plantation, against John Burdell and Eli Parker. Fanwell Harrison against Robert Mickel. Louisa Robertson against Eli Parker. Fanny, (colored,) Burdell's place, against Eli Parker and John Sessions. Dr. Glenn and William Kelly. Lucy, (colored,) Burdell's place, against Eli Parker. Robert Pool, (colored,) against Burnell Albert. Bob Jones, (colored,) in arrest, supposed to be an important witness, but bought up. February Brown against Eli Parker and John Burdell. Little Night and Penny, (his mother,) live at William Parker's, against William Parker, who went away with two pistols and a gun.

*Names of persons arrested.—Dill murder.*

Emanuel Parker, William Parker, father and son; Dr. Glenn; Gardner Kelly, William Kelly, brothers; Alex. Boykin, Henry Boykin, brothers; Burrell Albert; George Bowen, (colored.)

Examination of A. A. BOYKIN:

Question. Were you at the democratic barbecue on the Saturday preceding the election?

Answer. Yes, sir.

Q. Did you stay there all day?

A. I stayed there until it broke up.

Q. Did you see anybody drunk?

A. No, sir; I did not see a drunken man.

Q. Were you at home on Thursday, the day that Dill was killed?

A. Yes, sir; I was at home.

Q. Did you drink anything on that day?

A. No, sir.

Q. Do you drink any liquor at all?

A. Sometimes.

Q. Were you ever drunk?

A. No, sir.

Q. Who went with you?

A. T. Lang, and others.

Q. Did he drink any liquor that day?

A. No, sir; I did not notice him.

Q. Was Emanuel Parker there?

A. Yes, sir.

Q. Was Dill invited to your barbecue?

A. Yes, sir.

Q. Do you know the reason why he did not go?

A. No, sir.

Q. When some of your folks went over to the republican meeting some of them wanted to speak?

A. Yes, sir.

Q. In going home you had to go right by Dill's house?

A. No, sir. The meeting was northwest of the house, and my home was west of that.

Q. You did not go by Dill's house at all?

A. No, sir.

Q. You are certain that you did not go by Dill's house?

A. Yes, sir; I am certain I did not go by Dill's house.

Q. Who can you prove it by?

A. Doctor Nelson, and others.

Q. This crowd passed the house then, going up to the republican meeting?

A. Yes, sir.

Q. As that crowd (Doctor Nelson, Emanuel Parker, and others) passed the house, did you hear any conversation between them?

A. No, sir; not a bit.

Q. Did you hear anybody propose shooting at the house?

A. No, sir.

Q. Did you see Nancy?

A. No, sir; I do not know her.

Q. Did you see a woman at the house?

A. Yes, sir; I saw a woman.

Q. Did anybody propose to go around and shoot her?

A. No, sir.

Q. These remarks were made by some one of that party?

A. Do not know, sir.

Q. Doctor Glenn went to your house on Thursday morning?

A. Yes, sir.

Q. How long did he stay?

A. Not over five or ten minutes.

Q. Did you go off with him?

A. I went down to Mr. Bowen's and got my cows and came home.

Q. When you came home at 12 o'clock you first denied that you had been to Anderson Bowen's, but subsequently acknowledged it.

A. I have never told anybody.

Q. Anderson Bowen came to your house Friday afternoon?

A. Yes, sir.

Q. Did you see William Kelly that Thursday?

A. No, sir. I have not seen him since he canvassed for the election.

Q. Just about that time your brother Henry started for Columbia to buy corn and bacon?

A. Yes, sir.

Q. On the Friday afternoon, next day, Anderson Bowen came over to your house?

A. Yes, sir.

Q. Then you had a long talk with Anderson Bowen?

A. Yes, sir.

Q. Then you came back and told the darkeys that Dill and others were killed?

A. Yes, sir.

Q. You were at home when Dill was shot?

A. Yes, sir.

Q. When you heard the noise of the guns you stepped out of the door of the house and said, "I believe that Dill is killed?"

A. No, sir; I did not.

Q. We have got evidence that when you heard the shots fired you went to the door, and then turned around and said to the blacks there, they could clear you.

A. No, sir; I never said that.

Q. Were any propositions ever made to you to get Dill out of the way?

A. No, sir.

Q. These affidavits indicate that you had some idea of what was going on when you made the remark that you believed that Dill was killed, and then turned around and said to the blacks that they could clear you.

A. I never said any such thing.

Q. Did you not go over and see Doctor Glenn on that morning?

A. No, sir.

Q. You are certain of that?

A. Yes, sir.

Q. This murder of Dill's was an understood thing before it took place?

A. I don't know, sir. No one ever mentioned it to me.

Q. How long does it usually take you to go to Columbia?

A. One day.

Q. Do you know whether your brother went to Columbia that day?

A. I am confident of that.

Q. Did you ever hear any threats made against Dill?

A. No, sir, I never did.

Q. I am pretty well assured that parties approached you in reference to this matter.

A. No, sir; no one ever approached me.

Q. How far is your house from Dill's house?

A. I reckon about four miles.

Q. How far is your house from Columbia?

A. I really don't know, sir. I should judge it to be about 30 miles.

Q. Did you ever have any trouble with the people on your place?

A. No, sir; never had any trouble. They all say they want to stay with me.

Q. Doctor Glenn had some conversation with you; you say 10 minutes; others say that he stayed an hour; and after talking awhile with the doctor you came back and said you had been over to Anderson Bowen's, and had left Doctor Glenn there; took dinner and remained home all afternoon, and in the afternoon when the shots were fired you made the remark, "I believe Dill is killed," and then turned around and said, "You folks can clear me," because they knew that you were home.

A. No, sir; don't you believe that.

Q. We cannot understand why you should make the remark, "I believe Dill is killed," when you heard the guns fired.

A. I did not say so.

Q. Do you ever talk politics with anybody?

A. No, sir.

Q. Were you interested at all?

A. No, sir.

Q. You know that there was a great deal of feeling against Dill?

A. No, sir; I don't know. I never went about much.

Q. Were you at home during the war?

A. No, sir; I was in the army.

Q. Was your brother in the army?

A. Yes, sir.

Q. Did you volunteer, or were you drafted?

A. Volunteered.

Q. Both of you?

A. Yes, sir.

Q. Did you own any slaves before the war?

A. Only one, sir.

Q. You tell me that you never had any conversation with anybody in reference to this matter?

A. Yes, sir.

Q. Have you ever heard anything said that would lead you to suppose that Dill's life was in danger?

A. No, sir.

Q. Did you think Dill's life was as safe as yours?

A. Yes, sir.

Q. You don't think that the fact of his being a republican endangered his life?

A. No, sir.

Q. Are you on good terms with the Kellys, and Emanuel Parker?

A. Yes, pretty good. I never was in Parker's house in my life.

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*Bail bond under General Orders No. 105.*

UNITED STATES OF AMERICA, SECOND MILITARY DISTRICT,  
*Post of Charleston, South Carolina, ss:*

On this 10th day of July, 1868, Alexander Boykin of Kershaw county, South Carolina, principal, and Joseph D. Aiken, James D. Kirkpatrick,



and Louis D. De Saussure, of Charleston, South Carolina, sureties, personally came before me, Colonel James V. Bomford, 8th infantry, commanding military post of Charleston, South Carolina, and acknowledged themselves jointly and severally bound and indebted to me, the said commanding officer of said post, for the use of the United States, in the sum of \$1,000, to be satisfied out of the goods and chattels, lands and tenements of either of them, the said obligors, by summary seizure and sale of sufficient thereof to satisfy the penalty and costs, upon the order of said commanding officer of said post, or his proper superior, in case said Alexander Boykin, principal, shall make default in the condition following, and in case further, that said sureties shall not, on demand, pay the said amount; and the said obligors hereby, in consideration of the premises, covenant that upon such default this instrument shall constitute a lien, to the said amount of the penalty and costs, upon all the personal property of each of said obligors.

The condition of this obligation is such, that if the said Alexander Boykin of Kershaw county, South Carolina, principal, now held in custody, charged with a knowledge of facts and circumstances connected with the murder of S. G. W. Dill of Kershaw county, South Carolina, June 4, 1868, shall personally be and appear at Camden, South Carolina, or other place in South Carolina, on such day as may be designated, to answer to the further requirements of civil or proper military authority in the premises, then this obligation to be void; otherwise, to remain in full force and virtue.

[SEAL.]  
[SEAL.]  
[SEAL.]  
[SEAL.]

A. A. BOYKIN.  
JAS. D. AIKEN.  
JAS. D. KIRKPATRICK.  
LOUIS D. DE SAUSSURE.

Taken and acknowledged the day and year first above written, before me.

JAS. V. BOMFORD,  
*Colonel 8th Inf., Commanding Post of Charleston, S. C.*

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*Justification of surety.*

UNITED STATES OF AMERICA, SECOND MILITARY DISTRICT,  
*Post of Charleston, South Carolina, ss:*

Joseph D. Aiken and James D. Kirkpatrick being duly sworn, say that they are freeholders in the city of Charleston, and State of South Carolina, and are worth the sum of \$1,000 over and above all debts and liabilities that they owe or have incurred.

[SEAL.]  
[SEAL.]

JAS. D. AIKEN.  
JAS. D. KIRKPATRICK.

Subscribed and sworn this 10th day of July, 1868, before me.

GEO. F. PRICE,  
*First Lieut. 5th Cavalry, Assistant to Judge Advocate,  
Second Mil. Dist., Military Commissioner.*

*Justification of surety.*

UNITED STATES OF AMERICA, SECOND MILITARY DISTRICT,  
*Post of Charleston, South Carolina, ss:*

Louis D. De Saussure being duly sworn, says that he is a freeholder in the city of Charleston and State of South Carolina, and is worth the sum of \$1,000 over and above all debts and liabilities that he owes or has incurred.

[SEAL.]

LOUIS D. DE SAUSSURE.

Subscribed and sworn this 10th day of July, 1868, before me.

GEO. F. PRICE,

*First Lieut. 5th Cavalry, Ass't. to Judge Advocate S. M. D.*

*Examination of Burrell Albert.*

Question. Did you know Dill up in Kershaw district?

Answer. I have seen the old gentleman, I think, about three times in my life. I live between eight and nine miles from Dill's house; I have, however, a little store, about a mile and a half from Dill's house. I call it seven miles and a half from my house.

Q. Were you at the barbecue held on Saturday preceding the election?

A. No, sir.

Q. You knew that there was one up there?

A. No, sir.

Q. Have you ever been in that section of the country?

A. I was in that section about the first week in last May.

Q. Was there not a great deal of feeling against Dill in that part of the district?

A. As regards that, I cannot say. I never heard but a few men say anything in regard to him, (Dill); one was a small chap; his name is Boykin.

Q. On the Saturday that they had this barbecue, did you see any of your neighbors going to it?

A. None but my son. He returned early in the evening; got back about 3 o'clock.

Q. Do you know a black man by the name of Robert Poole?

A. No, sir.

Q. There is a man makes an affidavit against you, in which he says that on the Saturday of the barbecue you said that it would not be four days after the meeting before Dill would be killed.

A. I never said any such thing.

Q. But this man files an affidavit in which he swears that you did say that "it would not be four days after the meeting before Dill would be killed."

A. I never made use of any such language.

Q. Did you ever hear anybody make any threats against Dill?

A. No, sir; I never heard any.

Q. Do you ever drink anything?

A. I do sometimes.

Q. Do you ever get upset?

A. No.

Q. Did you drink anything on that day?

A. No, sir; I did not. I was home all day.

Q. Were you sober?

A. As sober as I am now.

Q. Were you excited any, and had you been talking that day about Dill.

A. No, sir, nothing excited me.

Q. You do not know a man by the name of Robert Poole?

A. No, sir; I do not.

Q. Do you know anybody by the name of Poole?

A. No, sir; I do not know any.

Q. You are not in the habit of drinking?

A. No, sir.

Q. Do you belong to the church?

A. No, sir; but I try to do right and attend to my own business.

Q. How large a place have you?

A. A small place.

Q. Did you own slaves before the war?

A. Yes, sir; I raised all my slaves.

*Bail bond under General Orders No. 105.*

UNITED STATES OF AMERICA, SECOND MILITARY DISTRICT,  
*Post of Charleston, South Carolina, ss:*

On this 10th day of July, 1868, Burrell Albert, of Kershaw county, South Carolina, principal, and Joseph D. Aiken, Jas. D. Kirkpatrick, and Louis D. De Saussure, of Charleston, South Carolina, sureties, personally came before me, Colonel J. V. Bomford, 8th infantry, commanding military post of Charleston, South Carolina, and acknowledged themselves jointly and severally bound and indebted to me, the said commanding officer of said post, for the use of the United States, in the sum of \$1,000, to be satisfied out of the goods and chattels, lands and tenements, of either of them, the said obligors, by summary seizure and sale of sufficient thereof to satisfy the penalty and costs, upon the order of said commanding officer of said post, or his proper superior, in case said Burrell Albert, principal, shall make default in the condition following; and in case, further, that said sureties shall not, on demand, pay the said amount, and the said obligors hereby, in consideration of the premises, covenant that upon such default this instrument shall constitute a lien, to the said amount of the penalty and costs, upon all of the personal property of each of said obligors.

The condition of this obligation is such that, if the said Burrell Albert, of Kershaw district, South Carolina, principal, now held in custody, charged with a knowledge of facts and circumstances connected with the murder of S. G. W. Dill, of Kershaw county, South Carolina, June 4, 1868, shall personally be and appear at Camden, South Carolina, or other place in South Carolina, on such day as may be designated, to answer to the further requirements of the proper civil or military authority in the premises, then this obligation to be void; otherwise, to remain in full force and virtue.

BURRELL ALBERT.	[L. S.]
J. D. AIKEN.	[L. S.]
JAS. D. KIRKPATRICK.	[L. S.]
LOUIS D. DE SAUSSURE.	[L. S.]

Taken and acknowledged the day and year first above written, before me,

J. V. BOMFORD,  
*Colonel 8th Inf., Commanding Post of Charleston, S. C.*

*Justification of surety.*

UNITED STATES OF AMERICA, SECOND MILITARY DISTRICT,  
*Post of Charleston, South Carolina, ss :*

Joseph D. Aiken and James D. Kirkpatrick, being duly sworn, say, that they are freeholders in the city of Charleston and State of South Carolina, and are worth the sum of \$1,000 each, over and above all debts and liabilities that they owe or have incurred.

J. D. AIKEN. [L. S.]  
 JAS. D. KIRKPATRICK. [L. S.]

Subscribed and sworn this 10th day of July, 1868, before me.

GEO. F. PRICE,

*First Lieutenant 5th Cav., Ass't to Judge Advocate, S. M. D.*

*Justification of surety.*

UNITED STATES OF AMERICA, SECOND MILITARY DISTRICT,  
*Post of Charleston, South Carolina, ss :*

Louis D. De Saussure, being duly sworn, says that he is a freeholder in the city of Charleston and State of South Carolina, and is worth the sum of \$1,000, over and above all debts and liabilities that he owes or has incurred.

LOUIS D. DE SAUSSURE. [L. S.]

Subscribed and sworn this 10th day of July, 1868, before me.

GEO. F. PRICE,

*First Lieutenant 5th Cav., Ass't to Judge Advocate, S. M. D.*

*Bail bond under General Orders No. 105.*

UNITED STATES OF AMERICA, SECOND MILITARY DISTRICT,  
*Post of Charleston, South Carolina, ss :*

On this 10th day of July, 1868, Gardiner Kelly, of Kershaw county, South Carolina, principal, and Joseph D. Aiken, Jas. D. Kirkpatrick, and Louis D. De Saussure, of Charleston, South Carolina, sureties, personally came before me, Colonel J. V. Boniford, 8th infantry, commanding military post of Charleston, South Carolina, and acknowledged themselves jointly and severally bound and indebted to me, the said commanding officer of said post, for the use of the United States, in the sum of \$1,000, to be satisfied out of the goods and chattels, lands and tenements of either of them, the said obligors, by summary seizure and sale of sufficient thereof to satisfy the penalty and costs upon the order of said commanding officer of said post, or his proper superior, in case said Gardiner Kelly, principal, shall make default in the condition following; and in case, further, that said sureties shall not, on demand, pay the said amounts, and the said obligors hereby, in consideration of the premises, covenant that upon such default this instrument shall constitute a lien, to the said amount of the penalty and costs, upon all the personal property of each of said obligors.

The condition of this obligation is such that, if the said Gardiner Kelly, of Kershaw county, South Carolina, principal, now held in custody, charged with a knowledge of facts and circumstances connected with the murder of S. G. W. Dill, of Kershaw county, South Carolina, June 4, 1868, shall personally be and appear at Camden, South Carolina, or other place in South Carolina, on such day as may be designated, to answer to the further requirements of civil or proper military authority in the premises, then this obligation to be void; otherwise, to remain in full force and virtue.

GARDINER	<sup>his</sup> +	KELLY.	[L. S.]
	<sup>mark.</sup>		
J. D. AIKEN.			[L. S.]
JAS. D. KIRKPATRICK.			[L. S.]
LOUIS D. DE SAUSSURE.			[L. S.]

Taken and acknowledged the day and year first above written, before me.

J. V. BOMFORD,  
Colonel 8th Inf., Commanding Post of Charleston, S. C.

---

*Justification of surety.*

UNITED STATES OF AMERICA, SECOND MILITARY DISTRICT,  
Post of Charleston, South Carolina, ss:

Joseph D. Aiken and James D. Kirkpatrick, being duly sworn, say, that they are freeholders in the city of Charleston and State of South Carolina, and are worth the sum of \$1,000 each, over and above all debts and liabilities that they owe or have incurred.

J. D. AIKEN.	[L. S.]
JAS. D. KIRKPATRICK.	[L. S.]

Subscribed and sworn this 10th day of July, 1868, before me.

GEO. F. PRICE,  
First Lieut. 5th Cav., Ass't to Judge Advocate, S. M. D.

---

*Justification of surety.*

UNITED STATES OF AMERICA, SECOND MILITARY DISTRICT,  
Post of Charleston, South Carolina, ss:

Louis D. De Saussure, being duly sworn, says, that he is a freeholder in the city of Charleston and State of South Carolina, and is worth the sum of \$1,000, over and above all debts and liabilities that he owes or has incurred.

LOUIS D. DE SAUSSURE. [L. S.]

Subscribed and sworn this 10th day of July, 1868, before me.

GEO. F. PRICE,  
First Lieut. 5th Cav., Ass't to Judge Advocate, S. M. D.

## Q.

[Special Orders No. 204.—Extract.]

HEADQUARTERS SECOND MILITARY DISTRICT,  
*Charleston, South Carolina, November 12, 1867.*

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VII. It having been made to appear to the commanding general that the actions against John Metcalf, now pending in the superior court for Yancey county, North Carolina, are for acts done by the accused as a soldier in the armies of the United States during the war, it is ordered that further proceedings in the case referred to be discontinued.

The commanding officer post of Morganton, North Carolina, is charged with the execution of this order.

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By command of Brevet Major General Ed. R. S. Canby:

LOUIS V. CAZIARC,  
*Aide-de-Camp, Acting Assistant Adjutant General.*

WASHINGTON, D. C., November 10, 1868.

Official:

LOUIS V. CAZIARC,  
*Aide-de-Camp.*

## R.

[General Orders No. 125.]

HEADQUARTERS SECOND MILITARY DISTRICT,  
*Charleston, South Carolina, November 20, 1868.*

I. Before a military commission convened at Raleigh, North Carolina, pursuant to paragraph II, Special Orders No. 75, current series, from these headquarters, and of which Colonel J. V. Bomford, 8th infantry is president, was arraigned and tried—

*Henderson Cooper, colored.*

CHARGE 1.—“Assault and battery, with intent to commit rape.”

*Specification.*—“In this, that he, Henderson Cooper, did with force of arms violently make an assault in and upon the person of one Susan J. Daniels, with intent to commit a rape upon the person of her the said Susan J. Daniels. All this in the county of Granville, State of North Carolina, on or about the 27th day of December, A. D., 1864.”

CHARGE 2.—“Aiding and abetting in the commission of a rape.”

*Specification.*—“In this, that he, the said Henderson Cooper, did with force of arms feloniously aid, abet and assist one William Cooper, to forcibly ravish, and, against her will, to carnally know one Susan J. Daniels. All this in the county of Granville, State of North Carolina, on or about the 27th day of December, A. D., 1864.”

PLEA.—“Not guilty.”

FINDING.—“Guilty.”

SENTENCE.—“To be hung by the neck until he be dead, at such time and place as the proper authority may direct, two-thirds of the members of the commission concurring therein.

II. The records of this district furnish the following history of the foregoing case.

The prisoner Henderson Cooper, colored, was tried before the superior court of Granville county, North Carolina, in March 1865, for rape, convicted and sentenced to be hanged on the 24th day of the same month. Escaping on the 19th, he made his way to Washington, D. C., where he remained until October, 1866, when he was, without process, brought back by the sheriff of Granville county and again committed to jail. At the spring term in 1867 he was, without further trial, re-sentenced to be hanged April 5th, 1867. Thereupon the proceedings of the State court were annulled by Major General Sickles, commanding this district, and the trial of the prisoner by military commission ordered, of such trial the record now comes in for review.

The material issue involved is a question of public rather than municipal law. Crime is local in its character, and is cognizable and punishable by the tribunals of the territory in which it is committed, and if the sentence passed upon the prisoner had been executed as originally appointed, its validity could not now be questioned. But before the day appointed for its execution, the prisoner escaped from the custody of the court and took refuge in what was then hostile territory, and where no process of the court could reach him. During his continued evasion, the war for the suppression of the rebellion was ended; the court by which he was tried, convicted and sentenced, passed out of existence with the rebellion that deprived "the people of the State of North Carolina of all civil government." Under the President's proclamation of the 29th of April, 1865, a provisional government was established, and courts were organized, invested with full power to try and punish crime. After the establishment of the superior court of Granville county, the prisoner was arrested and brought within its jurisdiction; but it was not competent for this court to affirm the sentence of a hostile court, nor by ratification confer validity upon proceedings had under a hostile government, and its action in re-sentencing the prisoner without trial, and appointing a day for the execution of that sentence, was properly annulled and set aside. The prisoner was entitled to a new trial upon a new presentment or indictment under the new sovereignty.

It was an error to refer this case to a military commission. The crime was committed within the jurisdiction of the pretended sovereignty that then controlled the greater part of the territory of North Carolina, and it was not until a later period that the military occupation by the national authority was extended to the place at which the crime was committed. The jurisdiction of military tribunals is determined and limited by the period and the territorial extent of the military occupation. It does not relate back to a period anterior to the date of that occupation, nor extend beyond its territorial limits, except in the case of known and recognized violations of the laws and usages of war, cognizable as such under the common law of nations.

This case is not of that class, and the proceedings and sentence of the military commission are disapproved and annulled, and the prisoner will be remanded to the custody of the civil authorities for trial under a new presentment or indictment.

By command of Brevet Major-General Ed. R. S. Canby:

LOUIS V. CAZIARC.

*Aide-de-Camp, Acting Assistant Adjutant General.*

Official:

LOUIS V. CAZIARC.

*Aide-de-Camp.*

[Special Orders, No. 63.—Extract.]

HEADQUARTERS SECOND MILITARY DISTRICT,  
*Charleston, S. C., March 16, 1868.*

I. In the case of *The State vs. Baldy Kearsey*, (indicted for larceny at the May term, 1863, of the court of pleas and quarter sessions of Granville county,) which came on to be argued at the January term, 1868, of the supreme court of the State of North Carolina, upon the transcript of the record from the superior court of law of Granville county, and in which it was ordered and adjudged that the State recover against the said Baldy Kearsey, the defendant, and William Tyler and Lewis Evans, his sureties for the appeal, the sum of \$17 95, the costs in said supreme court incurred, and that execution be issued. Therefore, the said judgment, order, and adjudication are here overruled, set aside and annulled. And it is hereby directed that all proceedings had in the said case in any court of North Carolina, subsequent to the 29th day of April, in the year 1865, be set aside and annulled, and that the said defendant, or his sureties, be discharged from any and all liability for costs or penalties incurred by of such proceedings; and any and all further proceedings under said indictment are hereby stayed and enjoined. But nothing in this order contained shall be construed to operate as a bar to a new indictment and trial for the same offence, in any court of competent jurisdiction.

\* \* \* \* \*

By command of Brevet Major General Ed. R. S. Canby :  
LOUIS V. CAZIARC,  
*Aide-de-Camp, Acting Assistant Adjutant General,*

WASHINGTON, D. C., *November 10, 1868.*

Official:

LOUIS V. CAZIARC,  
*Aide-de-Camp.*

S.

[Special Orders, No. 76.—Extract.]

HEADQUARTERS SECOND MILITARY DISTRICT,  
*Charleston, S. C., March 31, 1868.*

\* \* \* \* \*

VII. In the case of *Elizabeth M. Heyward vs. Clarence B. Kirk and William W. Burns*, State of South Carolina, Beaufort district, in equity, bill for foreclosure and sale,—all proceedings are hereby stayed and enjoined until the adoption or rejection of the constitution framed by the constitutional convention of the State of South Carolina, in conformity with the act of Congress, approved March 23, 1867, supplementary to the act of March 2, 1867, “to provide for the more efficient government of the rebel States,” and in the event of the adoption of the aforesaid constitution, the proceedings in said action are hereby stayed and enjoined until the organization of the State courts under said constitution.

By command of Brevet Major General E. R. S. Canby :  
LOUIS V. CAZIARC,  
*Aide-de-Camp, Acting Assistant Adjutant General.*



T.

HEADQUARTERS POST WILMINGTON,  
*Wilmington, N. C., October 17, 1867.*

SIR: In accordance with your instructions contained in a letter of the 2d instant, I have the honor to make the following report in reference to the cases arising at this place in which action in enforcing executions issued by the United States courts were temporarily suspended, case of Hall and Rodd, *vs.* Daniel Kahnweiler. The plaintiffs were residents of New Orleans at the time the cause of action originated—were doing an established commission business. I enclose herewith a letter of Kahnweiler, the defendant giving his status and occupation during the rebellion, which I think is correct. I enclose also the invoices of the stores, and a paper marked A, which Kahnweiler says was furnished him by the officer of the subsistence department of the rebel army, whose agent he claims to have been, showing how to mark the stores and forward them.

"The case of A. S. Moore & Co., *vs.* Kahnweiler. The plaintiff I believe was a merchant in Boston, Massachusetts, at the time the cause of action originated, prior to the 19th December, 1860. This was for a small amount, between \$400 and \$500. Defendant was a merchant in this city. A check had been forwarded for the amount, but was not presented until the funds upon which it was drawn, were levied upon by other creditors. These are the only cases in which action has been suspended."

I am sir, very respectfully, your obedient servant,

R. T. FRANK,

*Breret Lt. Col. and Capt. 8th Infantry, commanding Post.*

Lieutenant LOUIS V. CAZIARC,

*A. D. C. and A. A. A. G., Charleston, S. C.*

WILMINGTON, N. C.,  
*October 4, 1867.*

DEAR SIR: Your communication of the above date has been duly received, as regards an execution against me, in the Supreme Court of the United States, at Raleigh, North Carolina, where Messrs. Hall and Rodd, of New Orleans, are plaintiffs.

In answer to your communication I will state to you my transaction in this case. In the early part of March, 1862, I was a member of a firm, Kahnweiler & Brother, merchants of this city. In order to keep out of the army I received an appointment from Captain H. M. Drane, chief commissary of subsistence of this department, under General Joseph R. Anderson, commandant of this department, to proceed to New Orleans to purchase subsistence for the army of the so-called Confederate States, for the Cape Fear district, under the orders of Captain H. M. Drane. I proceeded on my commission to purchase army subsistence to New Orleans, and had instructions to turn over all my purchases to the chief commissary of subsistence at New Orleans, which was Major Winemore.

I purchased from Messrs. Hall & Rodd, March 28, 1862, a bill of sugar amounting to \$13,849 86; also bill April 5, 1862, amounting to \$1,088 34, being for molasses, and paid all these bills, except \$1,611 46, for which I gave them a due bill, dated April 5, 1862, thirty days after date, with the intention of remitting to them the amount of due bill on my return to this place; but before the maturity of the due bill the city of New

Orleans fell under Generals Banks and Butler. My instructions were so confined that I had no authority to ship the aforesaid stores, but Messrs. Hall & Rodd delivered them to Major Winnemore for shipment to this department—the bills of these stores are enclosed herein; some of the above stores were shipped as per order—per telegraph to Richmond on account of the scarcity of sugar and molasses in that department. The cause of accepting this office as commissary was to keep out of the army. I also enclose to you a letter from Messrs. Hall & Rodd, after the close of the war. I have never run the blockade in order to aid the rebellion, to the contrary I was always trying to avoid going in the army.

Hoping this may meet your approbation, I am, sir, very respectfully,  
your obedient servant,

DANIEL KAHNWEILER.

Colonel R. T. FRANK,

*Commanding Post of Wilmington, N. C.*

NEW ORLEANS, May 24, 1865.

DEAR SIR: Now, that communications are renewed with your city, we hasten to write to you with reference to your note for \$1,611 46 given to us to our order on the 5th April, 1862, being balance due on sugar and molasses purchased by you from us, on the 5th April, 1862. You, no doubt, fully recollect the details of this transaction and which you were not able to settle at maturity of the note, owing to the occupancy of this city by the federal authorities.

Our immediate necessities are such that we feel compelled thus early to call your attention to our claim, with the hope that you will be soon able to accede to our wishes and pressing demands, and forward us a remittance at an early date. We feel assured that the difficulty and danger of a correspondence between residents of hostile sections has been the sole cause thus far of the failure to settle; but now that this difficulty is removed, we hope soon to hear from you.

Yours, respectfully,

HALL & RODD,  
*In Liquidation.*

DANL. KAHNWILER, Esq.

*Wilmington, North Carolina.*

[Sugar and molasses, in lots to suit, always on hand, including white and yellow, clarified, powdered, &c., also golden sirup and sugar house molasses.]

NEW ORLEANS, April 5, 1862.

Mr. DANIEL KAHNWEILER

Bought of HALL & RODD, general commission merchants, No. 5, Front levee:

C. S. A.

Excelsior. 150 barrels molasses.

68 barrels, 44 gallons,	2,992
40 barrels, 45 gallons,	1,800
40 barrels, 43 gallons,	1,720
2 barrels, 42 gallons,	84

150.....	6,596 gallons, at 16½ cts.....	\$1,088 34
Drayage \$15; tinning, &c., \$6.....		21 00
		<u>1,109 34</u>

Received payment.

HALL & RODD,  
Pr. THOMAS SAVAGE.

NEW ORLEANS, March 28, 1862.

Mr. DANIEL KAHNWEILER

Bought of HALL &amp; RODD:

C. S. A.	1 hogshhead white sugar, 1,240 — 130 = 1,110 lbs., at 7 cents...	\$77 70
Centrifugal.	13 hogshheads sugar, 1,305, 1,335, 1,260, 1,335, 1,085, 1,265, 1,345, 1,125, 1,170, 1,115, 1,220, 1,070, 1,354 = 15,975 — 1,597 = 14,378 lbs., at 6 cents.....	862 68
Centrifugal.	10 hogshheads sugar, 1,150, 1,220, 1,050, 1,150, 1,200, 1,205, 1,055, 1,285, 1,145, 1,140; 11,600 — 1,160 = 10,440 lbs., at 5 cents..	522 00
M		
W	41 hogshheads yellow clarified sugar, 1,300, 1,160, 1,160, 1,160, 1,205, 1,240, 1,245, 1,280, 1,145, 1,200, 1,320, 1,300, 1,190, 1,120, 1,330, 1,245, 1,205, 1,200, 1,400, 1,305, 1,205, 1,290, 1,270, 1,410, 1,220, 1,135, 1,305, 1,150, 1,350, 1,375, 1,250, 1,230, 1,290, 1,170, 1,235, 1,285, 1,275, 1,345, 1,340, 1,330, 1,315, 1,295 = 51,620 — 5,162 = 46,458 lbs., at 4½ cents.....	2,090 61
W	10 hogshheads yellow clarified sugar, 1,325, 1,325, 1,130, 1,200, 1,215, 1,200, 1,320, 1,145, 1,175, 1,410 = 12,445 — 1,244 = 11,201 lbs., at 4½ cents.....	594 04
Pecan Grove.	55 hogshheads sugar, 1,205, 1,245, 1,220, 1,200, 1,230, 1,205, 1,165, 1,175, 1,200, 1,170, 1,220, 1,235, 1,210, 1,245, 1,280, 1,250, 1,170, 1,230, 1,280, 1,305, 1,260, 1,260, 1,200, 1,220, 1,240, 1,260, 1,200, 1,250, 1,250, 1,200, 1,210, 1,230, 1,220, 1,225, 1,250, 1,145, 1,190, 1,260, 1,240, 1,160, 1,280, 1,280, 1,270, 1,170, 1,280, 1,185, 1,200, 1,175, 1,225, 1,180, 1,260, 1,220, 1,170, 1,235, 1,220 = 67,270 — 6,727 = 60,543 lbs., at 4½ cents..	2,573 07
C		
W	16 hogshheads sugar, 1,260, 1,265, 1,240, 1,225, 1,245, 1,235, 1,265, 1,280, 1,315, 1,245, 1,240, 1,205, 1,265, 1,260, 1,260, 1,250 = 20,055 — 2,005 = 18,050 lbs., at 3½ cents.....	586 62
P O A & Co.	22 hogshheads sugar, 1,165, 1,155, 1,190, 1,210, 1,235, 1,170, 1,220, 1,210, 1,250, 1,075, 1,195, 1,200, 1,205, 1,150, 1,250, 1,220, 1,255, 1,145, 1,180, 1,225, 1,195, 1,175 = 26,275 — 2,627 = 23,648 lbs., at 2½ cents.....	650 32
W		
V. R.	12 hogshheads sugar, 1,230, 1,230, 1,230, 1,150, 1,245, 1,205, 1,255, 1,260, 1,145, 1,185, 1,125, 1,129 = 14,380 — 1,438 = 12,942 lbs., at 2½ cents.....	355 90
B	5 hogshheads sugar, 1,240, 1,205, 1,265, 1,230, 1,270 = 6,210 — 621 = 5,589 lbs., at 2½ cents.....	153 70
P D	5 hogshheads sugar, 1,210, 1,285, 1,185, 1,245, 1,295 = 6,220 — 622 = 5,598 lbs., at 2½ cents.....	153 94
Osyka.	20 hogshheads sugar, 1,180, 1,150, 1,205, 1,250, 1,105, 1,165, 1,150, 1,160, 1,120, 1,035, 1,155, 1,120, 1,215, 1,150, 1,150, 1,190, 1,125, 1,155, 1,210, 1,195 = 23,185 — 2,318 = 20,867 lbs., at 2½ cents.....	521 67
Star Light.	15 hogshheads sugar, 1,130, 1,045, 1,185, 1,125, 1,155, 1,210, 1,185, 1,165, 1,220, 1,085, 1,130, 1,120, 1,145, 1,070, 1,130 = 17,100 — 1,710 = 15,390 lbs., at 2½ cents.....	384 75
H	14 hogshheads sugar, 1,300, 1,355, 1,260, 1,290, 1,340, 1,360, 1,345, 1,175, 1,415, 1,170, 1,320, 1,270, 1,340, 1,320 = 18,260 — 1,826 = 16,434 lbs., at 2½ cents.....	410 55
A. S.	55 hogshheads sugar, 1,135, 1,020, 1,030, 1,040, 1,080, 1,185, 1,085, 1,065, 1,065, 1,075, 1,040, 1,015, 1,075, 1,135, 1,060, 1,105, 1,030, 1,075, 1,135, 1,090, 1,100, 1,075, 1,100, 1,105, 1,080, 1,055, 1,045, 1,015, 1,115, 1,105, 1,160, 1,055, 1,135, 1,040, 1,085, 1,115, 1,185, 1,055, 1,085, 1,075, 1,115, 1,070, 1,095, 1,190, 1,170, 1,210, 1,060, 1,020, 1,105, 1,105, 1,135, 1,100, 1,160, 1,110, 1,155 = 60,095 — 6,009 = 54,086 lbs., at 2½ cents..	1,254 54
E. Porcher.	20 hogshheads sugar, 1,345, 1,315, 1,295, 1,380, 1,295, 1,340, 1,315, 1,335, 1,315, 1,270, 1,320, 1,275, 1,260, 1,305, 1,240, 1,360, 1,295, 1,300, 1,315 = 26,235 — 2,623 = 23,612 lbs., at 2½ cents.....	560 75
J. H P. & Co.	20 hogshheads sugar, 1,395, 1,320, 1,385, 1,480, 1,300, 1,365, 1,480, 1,470, 1,440, 1,350, 1,400, 1,340, 1,390, 1,445, 1,345, 1,425, 1,385, 1,295, 1,435, 1,380 = 27,825 — 2,782 = 25,043 lbs., at 2½ cents.....	532 16
E P.	21 hogshheads sugar, 1,240, 1,195, 1,215, 1,150, 1,260, 1,165, 1,325, 1,195, 1,360, 1,270, 1,255, 1,300, 1,195, 1,230, 1,235, 1,190, 1,230, 1,220, 1,150, 1,250, 1,225 = 25,885 — 2,588 = 23,297 lbs., at 2½ cents.....	495 66

Enola.	41 hogsheads sugar, 1,295, 1,300, 1,345, 1,300, 1,250, 1,270, 1,270,	
A B	1,245, 1,300, 1,245, 1,290, 1,310, 1,240, 1,300, 1,320, 1,330,	
	1,280, 1,315, 1,305, 1,320, 1,280, 1,320, 1,295, 1,260, 1,265,	
	1,275, 1,310, 1,275, 1,315, 1,275, 1,280, 1,250, 1,290, 1,315,	
	1,315, 1,250, 1,290, 1,330, 1,230, 1,310, 1,285 = 52,845 — 5,284	
	= 47,561 lbs., at 2½ cents.....	\$1,010 67
		13,731 06
	Drayage on 396 hogsheads, at 30 cents.....	118 80
		13,849 86
	By cash received on account.....	\$3,000
	By cash received on account.....	10,000
		13,000 00
	Balance due.....	849 86
Received payment.		

HALL & RODD,  
Pr. THOMAS SAVAGE.

APRIL 6, 1862.

### A.

*Enola*.—A B, 41 hhds ; Osyka, 20 hhds. ; H, 14 hhds. ; V R, 12 hhds. ; Goodales, (no mark,) 41 hhds ; total, 128 hhds. ; 100 barrels molasses. This is for Marion, and to come direct to Wilmington.

E. Porcher, 20 hhds. ; A S, 55 hhds. ; 100 barrels molasses. This is to Marion, or Sumpter, as directed.

Bacon, beef, and soap, to Wilmington.

46 hhds., marked Capt. H. M. Drane on one head, and  $\diamond U$  on the other, to come to Wilmington.

100 barrels molasses, marked in the same manner, to come to Wilmington.

### U.

#### STATE OF NORTH CAROLINA, EXECUTIVE DEPARTMENT, *Raleigh, September 10, 1867.*

GENERAL: I respectfully submit for your consideration a few suggestions touching the orders of General Sickles, several of which I think ought to be revoked or essentially modified.

\* \* \* \* \*

General Sickles's stay-law, though certainly acceptable to many of our people, was unnecessary and unwise. I requested him not to make his stay-law applicable to this State. Our State convention, on the 23d day of June, 1866, passed a stay-law, (see page 22,) intended as a compromise between debtor and creditor, looking to the interest of both.

It provides where the debt, including interest, is not more than \$60, the superior courts at the spring term only should have jurisdiction. Prior to the passage of this law, a justice of the peace could grant summary judgment in cases of this character. No action of debt, covenant, &c., could be brought before spring term 1867. If the defendant at spring term 1867 should pay the costs and one-tenth of the debt, he was allowed until spring term 1868 before being required to plead; and if at spring term 1868 the defendant should pay one-fifth of the residue of the debt and cost, he was allowed until spring term 1869 to plead. If at spring term 1870 the defendant should pay one-half the residue, he was allowed till spring term 1871 to plead. At spring term 1872 the plaintiff was to have judgment for the balance. The ordinance contains many other provisions of like character.

If the question had been judicially raised before our courts, this ordinance would probably have been held void, on the ground that it is in conflict with the provision in the Constitution of the United States, which inhibits a State from passing any law impairing the obligation of a contract; but there was a universal acquiescence in it by creditors and the bar. This was an equitable compromise. Every debtor not absolutely insolvent could probably have complied with its provisions. Those absolutely insolvent should have compromised with their creditors, or looked for relief to the passage of a bankrupt law by Congress. General Sickles's stay-law has interrupted the operation of this compromise ordinance. It has had the pernicious effect of encouraging a hope of ultimate repudiation of all debts, both those contracted by the State and by individuals, which is a delusive hope, if the Constitution of the United States shall not be entirely abandoned and justice contemned. It has encouraged the hope of repudiation, whereby very few, however hopelessly insolvent, are availing themselves of the beneficent act of bankruptcy recently passed by Congress.

There are other subjects on which I would like to make suggestions, but this communication is already too long, I fear, and I conclude.

I have the honor to be yours, very respectfully,

JONATHAN WORTH,

*Governor of North Carolina.*

Major General E. R. S. CANBY,

*Military Commandant Second District,*

*Charleston, South Carolina.*

#### HEADQUARTERS SECOND MILITARY DISTRICT,

*Charleston, South Carolina, October 12, 1867.*

SIR: I have delayed answering so much of your communication of the 10th ultimo as related to General Orders No. 10 from the headquarters of this district, until I could be more fully advised than I then was of its practical operation, and the bearing of that operation upon the questions that made it a necessary order at the time it was issued. Naturally, many other communications upon the same subject, urging or deprecating the abrogation of the order, have also reached me. In some of these communications the arguments in favor of, or the exceptions to, the order are stated in a spirit of frankness and candor that entitles them to a considerative attention; while in others the arguments used, both for and against the order, are unwarranted by its text, or by any practice under it.

It will, of course, be improper for me to engage in any discussion of the order, or of any of the issues involved in its enforcement; but the officers whose duties are in any way affected by its provisions are entitled to any information that may be asked for or be needed in relation to its purpose and its proper construction. In giving this, I shall refer to the arguments of others in so far as the provisions of the order have been misapprehended or misstated.

The prominent objections to the order are:

1. That it is unnecessary, because the evils it was intended to cure had already been remedied by State legislation.
2. That it is unequal in its operation, and works injury in particular cases.
3. That it is unconstitutional, for the reason that it impairs the obligation of contracts.

There are other objections, but they are of minor importance, and will only be referred to incidentally, and for the purpose of correcting misapprehension.

The order, so far at least as its relief provisions are concerned, was issued in the interest of the people of the two States, and at their instance, if the action of their representative bodies can be taken as the expression of their will. The provisions most expected to apply in terms and intent to debts contracted during the rebellion, or to judgments rendered during that period, on obligations that existed when it commenced—to a period when the courts of the United States were closed; when all judicial process ran in the name of a hostile government or pretended government; when there was no transfer by appeal or by removal of any cause to the jurisdiction of the United States courts; when all intercourse between citizens of the loyal and of the insurgent States was unlawful; when a large proportion of the contracts between citizens of the insurgent States were in purpose or in consideration in aid of the rebellion, and if not unlawful, were against public policy, and could not be specifically enforced in the courts of the United States.

These issues were of the gravest character. They involved some of the most serious questions of public and municipal law. They were disturbing elements that seriously threatened the peace and the good order of the district, the preservation of which was committed to the district commander, and involved legal and moral responsibilities which he could not avoid or cast off. It was not the province of the military authority to determine these questions, and it did not assume to determine them. That must eventually be done by national, not local adjudication or legislation; and it was to this end, and in the interest of order and the public welfare, that the military authority was invoked to stay proceedings until the principles involved in these questions could be properly determined and settled.

It is objected to some of the provisions of the order, that the issues involved had already been settled, and the evils it was intended to cure remedied by State legislation. It is true that your State has abolished imprisonment for debt, has provided for a homestead exemption, has enacted stay-laws, has sealed the confederate currency, has legalized the investment of trust-funds in rebel securities, has repudiated your war debt, &c., &c.; but it is equally true that the validity of these laws, as a question of fact, and as a settlement of the issues involved, was seriously questioned; and the determination of these questions invited and threatened a flood of litigation that would have been fruitless of any permanent result, except a grievous addition to the burdens already weighing upon your people. These facts, and the necessity of quieting these disturbing elements, and of staying this threatened litigation, were additional and controlling motives for the issue of the order.

It is also objected that the order protects the fraudulent debtor. I find no warrant for this in the order itself, and the practice under the order is wholly at variance with this assumption. It is not more liable to this objection than the corresponding laws of your State. A more serious objection is the allegation that it bars during the period of its operation all remedies for private wrongs; but this conclusion is not warranted by any proper construction of the order. It is true that prosecutions growing out of personal or political animosities, engendered by years of civil strife, are discountenanced; but actions of tort, not of that character, are not forbidden, and the construction of the order is left to the courts. Another objection gravely urged is, that as the bankrupt law of the United States makes no distinction between peace and war debts, the

order should make none. I am not able to see the relation between the two, unless it be hoped that the law may be used for ulterior purposes, to revive the dead issues of the rebellion, and give a value to assets that are now worthless.

To the general objections made by your excellency and by others, that the tendency of the order is to encourage the idea of ultimate repudiation among the people, I can only say that this idea has not, and will meet with no favor from the military authority.

The second class of exceptions relates to the unequal operation of the order. That result would naturally follow the application of any rules to a great extent of territory, and a great diversity of interests, and is not peculiar to military orders. It has been the defect of all legislation since the world was made, and the legislation of your own State, upon this subject, is scarcely an exception. It is conceded, however, that these irregularities have been exhibited more distinctly in your State than in South Carolina. This fact has already determined some modifications of the order; others will be made when the necessity for making them is clearly established, and it will give me great pleasure to abrogate it entirely, when the necessity that called it into existence has passed away.

The constitutional objection is urged with great earnestness, but with such a variety of arguments, applications and conclusions, that it is difficult to determine what constitution is meant. If these objections refer to the confederate constitution and the constitution of North Carolina, as a member of the confederacy, it may be said that both perished with the rebellion that "deprived the people of the State of North Carolina of all civil government." If they refer to the constitution of the State as amended under the President's proclamation of May 29, 1865, the decision of the Supreme Court of the United States, reported in 5 *Wheaton*, 423, and 2 *Howard*, 185, may be held to apply. Assuming, however, that they do not apply, the question turns upon the extent to which relief laws may be used without becoming unconstitutional. Insolvent laws, which work the absolute discharge of the obligation of contracts, have not been held invalid except so far as they affect the claims of foreign creditors. Statutes of limitation are not unconstitutional. Laws abolishing imprisonment for debt have been decided to be a modification of the remedies for the enforcement of contracts, and are not constitutional. The same rules apply to laws exempting household and trade implements from sale on execution for debts. How far the other relief laws of your State may come within these rules, has not been decided, but the current of decision in the courts of the United States appears to be, that they are valid within the jurisdiction of the court that apply them, but not beyond that jurisdiction.

Does the general order assume to do more than this? Par. I is identical in object and proceedings with your own law, abolishing imprisonment for debts. The stay-laws passed by your convention and by your legislature are more extended in period, more comprehensive in character, and more complicated in operation than the stay of proceedings by par. II. Your judgment stay of the 4th of March, 1867, is of an earlier date, covers a longer period, and is more stringent than the judgment stay of par. III, and the homestead exemption of par. VII conforms to and is interpreted by your own laws.

If the order is unconstitutional, are not the State laws, which it was intended to aid, and give effect to, equally so? If the one should be abrogated by reason of its unconstitutionality, should not the others also be swept away?

The next question relates to the effect of the order upon issues that may eventually be carried beyond the jurisdiction of your courts. The

order itself is limited to causes of action in the courts of the two States included in this district, and its mandatory provisions are directed to the officers of those courts; but its application to this class of cases was anticipated, and its intended object was to stay preliminary proceedings until the principles of justice and equity, that should control their adjudication, have been settled, or, in the language of the order, "until the civil government of the respective States shall be established in conformity with the requirements of the government of the United States." That this stay may affect the ultimate determination of pending contracts is assumed, but it will affect those only that were unlawful in themselves, or are void by reason of being against public policy. This is the natural and unavoidable result of past events, and it is a contingency that was contemplated by your legislature in providing for the appointment of commissioners "to investigate all claims against the State on account of any debt or obligation created during the late war." But the action that can be taken and is contemplated by your State is local, and is only partial in that locality.

How far the issues involved enter into the composition of the causes, now stayed, can only be conjectured; but the report of your commissioners, limited as it is, gives a realizing impression of their variety and extent. These are not abstract issues; they are questions of practical and daily application. The decisions of the courts of the States lately in rebellion have been conflicting, and, so far as I am advised, but one of the points in question has been adjusted and settled by the courts of the United States. This decision does not warrant the assumption that contracts that were in violation of the laws of the United States, that were aimed at the subversion of that government, or were against its declared public policy, can be enforced in its courts; and yet I am justified from the facts before me in assuming that much of the pressure for the abrogation of General Orders No. 10, and, by necessary implication, of your own relief laws, is for the purpose of pressing doubtful contracts to a premature conclusion, and obtaining settlements before the principles upon which they should be settled have been determined by the courts of ultimate resort. If this be allowed, the effect will be to throw the burden of loss upon those of your people who, by poverty of means or the smallness of the amount involved, are barred from these courts, or to whom the hope of relief will come when their property has been swept away by forced sales and the costs of litigation.

It is always a delicate matter to interfere with the relations of debtor and creditor, and the action of the military authority in this district was constrained by exceptional circumstances and a controlling necessity. I am satisfied that the order has been productive of good in both States, and that its abrogation at this time would be productive of evil. There have no doubt been errors of construction and of application, but these may be corrected, and it was probably an error in the original order in not defining its application with more exactness, and conforming and limiting its operations by the decisions of the Supreme Court of the United States. With these exceptions, I cannot discover that the order is in conflict with any constitution except the Montgomery constitution of 1861, or that it will impair, directly or indirectly, any contracts except such as were protected by that constitution, and were at war with the Constitution and laws of the United States.

Very respectfully, sir, your obedient servant,

ED. R. S. CANBY,  
*Brevet Major General U. S. A., Commanding.*

His Excellency JONATHAN WORTH,  
*Governor of North Carolina.*



[Circular.]

# HEADQUARTERS SECOND MILITARY DISTRICT, Charleston, South Carolina, June 1, 1868.

The following statement exhibits the number of persons registered as voters in North Carolina under the reconstruction acts of Congress, and the vote, for and against the convention, polled at the election held in that State on the 19th and 20th days of November, 1867; and the vote for and against the constitution framed by that convention, and submitted to the people for ratification at the election held on the 21st, 22d, and 23d days of April, 1868.

By command of Brevet Major General Ed. R. S. Canby:

LOUIS V. CAZIARC,  
*Aide-de-Camp, Acting Assistant Adjutant General.*

Counties.	Registration.	Vote on convention.				Revised registration of April 1, 1868.	Vote on constitution.			
		For.	Against.	Total.	Not voting.		For.	Against.	Total.	Not voting.
Alamance	2,140	872	572	1,444	696	2,379	995	1,012	2,007	372
Alexander	995	493	95	588	407	1,135	367	501	868	267
Allegheny	548	216	71	287	261	595	229	210	439	156
Anson	2,187	1,182	604	1,786	401	2,291	988	846	1,834	437
Ashe	1,275	540	191	731	544	1,484	620	614	1,234	250
Beaufort	2,435	928	625	1,553	882	2,737	1,324	1,056	2,380	357
Bertie	2,235	1,219	184	1,403	832	2,334	1,320	618	1,938	396
Bladen	2,240	1,152	583	1,685	555	2,540	1,270	971	2,241	299
Brunswick	1,520	825	346	1,171	349	1,792	784	785	1,569	223
Buncombe	2,094	1,014	417	1,431	663	2,265	1,047	878	1,925	340
Burke	1,473	798	231	1,029	444	1,608	779	635	1,414	194
Cabarras	1,925	1,042	280	1,322	603	2,424	832	1,062	1,894	330
Caldwell	1,242	491	237	728	514	1,315	384	623	1,007	3.8
Camden	1,042	421	296	717	325	1,149	474	517	991	158
Carteret	1,946	873	592	1,465	481	2,154	896	916	1,812	342
Caswell	3,004	1,485	496	1,981	1,023	3,161	1,416	1,432	2,854	307
Catawba	1,676	780	331	1,111	565	1,841	409	1,060	1,464	372
Catham	3,436	2,116	330	2,446	990	3,633	1,846	1,162	3,008	625
Cherokee	912	412	54	466	446	951	388	262	650	301
Chowan	1,253	823	277	1,100	153	1,368	701	457	1,158	213
Clay	416	170	14	184	232	452	128	209	337	115
Cleveland	1,847	900	392	1,292	555	2,008	693	915	1,608	400
Columbus	1,377	577	505	1,082	295	1,482	439	816	1,255	227
Craven	4,778	3,232	585	3,817	961	5,413	3,401	1,460	4,861	552
Cumberland	3,082	1,662	798	2,460	622	3,459	1,770	1,233	3,003	456
Currituck	1,345	456	492	948	397	1,494	437	887	1,324	170
Davidson	2,923	1,186	128	1,314	1,509	3,145	1,705	841	2,546	599
Davie	1,391	812	107	919	472	1,558	524	753	1,277	281
Duplin	2,551	1,055	937	1,992	559	2,781	962	1,489	2,451	330
Edgecombe	3,862	2,324	584	2,908	954	4,178	2,340	1,158	3,498	680
Forsyth	1,820	1,055	27	1,082	798	1,948	1,179	317	1,496	452
Franklin	2,538	1,460	867	2,327	211	2,933	1,431	1,227	2,660	273
Gaston	1,481	822	84	906	575	1,652	803	603	1,406	246
Gates	1,220	542	251	793	427	1,323	448	650	1,098	225
Granville	4,436	2,511	707	3,218	1,218	4,880	2,514	1,865	4,379	501
Greene	1,406	741	342	1,083	323	1,562	801	594	1,395	167
Guilford	3,801	1,766	638	2,404	1,397	3,930	1,922	1,349	3,271	659
Hallfax	4,212	2,533	746	3,279	933	4,848	3,046	1,317	4,363	485
Harnett	1,396	745	292	1,037	359	1,566	657	696	1,353	213
Haywood	921	417	236	653	268	1,034	404	417	811	223
Henderson	1,065	608	56	664	401	1,197	582	334	916	281
Hertford	1,481	706	503	1,209	272	1,673	805	592	1,397	276
Hyde	1,438	590	410	1,000	438	1,707	667	808	1,475	232
Iredell	2,814	1,281	468	1,749	1,065	3,013	844	1,552	2,396	617
Jackson	785	252	263	515	270	869	235	503	738	131
Johnston	2,651	1,329	610	1,939	712	2,872	1,364	1,068	2,372	590
Jones	1,015	540	303	843	172	1,157	594	451	1,045	112
La noir	2,018	1,134	349	1,483	535	2,437	1,195	845	2,040	397
Lincoln	1,315	677	283	960	355	1,496	647	608	1,255	241
Macon	929	391	187	578	351	1,033	307	521	828	205
Madison	971	462	167	629	342	1,030	515	285	800	330

## Statement, &amp;c.—Continued.

Counties.	Registration.	Vote on convention.				Revised registration of April 1, 1868.	Vote on constitution.			
		For.	Against.	Total.	Not voting.		For.	Against.	Total.	Not voting.
Martin .....	1,768	872	500	1,372	396	1,975	937	920	1,857	118
McDowell .....	1,082	599	138	737	345	1,230	670	499	1,169	51
Mecklenberg .....	3,602	1,985	447	2,432	1,170	4,310	1,705	1,925	3,630	620
Mitchell .....	697	479	-----	479	218	725	543	120	663	62
Montgomery .....	1,194	752	6	758	436	1,215	722	253	975	240
Moore .....	1,950	975	186	1,161	789	2,143	1,093	734	1,827	316
Nash .....	1,942	860	398	1,258	684	2,032	741	1,048	1,789	243
New Hanover .....	4,984	2,928	1,091	4,019	964	6,216	3,571	2,235	5,806	410
Northampton .....	2,977	1,647	538	2,185	792	3,206	1,904	805	2,709	497
Onslow .....	1,225	440	299	739	486	1,383	417	724	1,141	242
Orange .....	3,212	1,209	1,396	2,605	607	3,578	1,324	1,863	3,187	391
Pasquotank .....	1,636	910	256	1,166	470	1,716	923	515	1,438	278
Perquimons .....	1,398	808	90	898	500	1,721	870	533	1,403	318
Person .....	1,802	742	746	1,488	314	2,035	906	718	1,624	411
Pitt .....	2,811	1,545	935	2,480	331	3,257	1,797	1,238	3,035	222
Polk .....	598	318	21	339	259	653	409	93	502	151
Randolph .....	2,685	1,364	67	1,431	1,254	2,855	1,559	711	2,270	585
Richmond .....	2,081	1,251	185	1,436	645	2,311	1,202	675	1,877	434
Robeson .....	3,038	1,868	764	2,632	406	3,333	1,613	1,259	2,872	461
Rockingham .....	2,757	1,074	374	1,448	1,309	3,096	1,403	1,143	2,546	550
Rowan .....	3,037	1,794	341	2,135	902	3,286	1,162	1,641	2,803	483
Rutherford .....	1,979	1,126	74	1,200	779	2,130	1,350	457	1,807	323
Sampson .....	2,445	1,129	785	1,914	531	2,639	1,026	1,180	2,206	433
Stanley .....	1,188	639	89	728	460	1,287	428	609	1,037	250
Stokes .....	1,683	547	73	620	1,063	1,831	761	449	1,210	620
Surry .....	1,888	841	194	1,035	853	2,002	851	614	1,465	537
Transylvania .....	516	256	34	290	226	587	148	254	402	185
Tyrrell .....	840	360	180	540	300	896	237	395	632	264
Union .....	1,752	1,059	174	1,233	519	1,816	760	731	1,491	325
Wake .....	6,186	4,135	781	4,916	1,270	6,435	3,341	2,382	5,723	712
Warren .....	3,129	2,061	573	2,634	495	3,414	2,225	944	3,169	245
Washington .....	1,233	668	168	836	397	1,255	806	352	1,158	97
Watauga .....	763	335	86	421	342	816	320	307	627	189
Wayne .....	7,820	1,317	828	2,145	675	3,103	1,485	1,232	2,717	386
Wilkes .....	2,505	1,453	162	1,615	890	2,485	1,445	540	1,985	500
Wilson .....	1,945	885	571	1,456	489	2,100	923	891	1,814	286
Yancey .....	815	354	90	444	371	895	283	454	737	158
Yadkin .....	1,740	803	229	1,032	708	1,859	796	654	1,450	400
Total .....	178,665	93,006	32,962	125,968	52,697	196,873	93,084	74,015	167,099	29,774

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[Circular.]

HEADQUARTERS SECOND MILITARY DISTRICT,  
Charleston, S. C., July 15, 1868.

The following statement exhibits the number of persons registered as voters in South Carolina, under the reconstruction acts of Congress, and the vote for and against the convention, polled at the election held in that State on the 19th and 20th days of November, 1867, and the vote for and against the constitution framed by that convention, and submitted to the people for ratification at the election held on the 14th, 15th, and 16th days of April, 1868.

By command of Brevet Major General Ed. R. S. Canby:

LOUIS V. CAZIARC,

*Aide-de-Camp, Acting Assistant Adjutant General.*

*Registration and election on convention.*

Counties.	Registration.	Vote on convention.				Registration.	Vote on constitution.			
		For.	Against.	Total.	Not voting.		For.	Against.	Total.	Not voting.
Abbeville .....	5, 172	2, 920	-----	2, 920	2, 252	5, 297	2, 821	1, 100	3, 921	1, 376
Anderson .....	3, 722	1, 364	79	1, 443	2, 279	3, 544	1, 312	1, 375	2, 687	857
Barnwell .....	5, 608	2, 472	-----	2, 472	3, 136	5, 859	3, 357	687	4, 044	1, 815
Beaufort .....	7, 824	4, 118	2	4, 120	3, 704	7, 778	4, 939	159	5, 098	2, 680
Berkeley .....	9, 319	7, 464	1	7, 465	1, 854	-----	-----	-----	-----	-----
Charleston .....	8, 830	4, 338	1	4, 339	4, 491	19, 628	12, 282	3, 334	15, 616	4, 012
Chester .....	3, 330	1, 843	199	2, 042	1, 288	3, 472	1, 750	981	2, 731	741
Chesterfield .....	1, 927	877	245	1, 122	805	1, 936	722	664	1, 386	550
Clarendon .....	2, 304	1, 241	1	1, 242	1, 062	2, 373	1, 403	243	1, 646	727
Colleton .....	5, 380	2, 775	1	2, 776	2, 604	5, 395	3, 083	382	3, 465	1, 930
Darlington .....	4, 648	2, 873	3	2, 876	1, 772	4, 668	2, 710	691	3, 401	1, 267
Edgefield .....	6, 767	3, 811	1	3, 812	2, 955	7, 124	3, 472	1, 072	4, 544	2, 580
Fairfield .....	3, 434	2, 046	7	2, 053	1, 381	3, 506	1, 986	699	2, 685	821
Georgetown .....	3, 651	2, 444	-----	2, 444	1, 207	3, 357	2, 473	145	2, 618	739
Greenville .....	3, 525	1, 570	290	1, 860	1, 665	3, 585	1, 610	788	2, 398	1, 187
Horry .....	1, 640	402	21	423	1, 217	1, 643	466	773	1, 179	464
Kershaw .....	2, 639	1, 433	-----	1, 433	1, 206	2, 752	1, 406	329	1, 735	1, 017
Lancaster .....	1, 832	883	324	1, 207	625	1, 956	868	780	1, 648	308
Laurens .....	4, 154	2, 153	6	2, 159	1, 995	4, 161	1, 901	1, 137	3, 038	1, 123
Lexington .....	2, 473	1, 060	169	1, 229	1, 244	2, 596	1, 005	569	1, 574	1, 022
Marlboro' .....	2, 200	1, 387	13	1, 400	800	2, 170	1, 258	435	1, 693	477
Marion .....	3, 393	1, 474	1	1, 475	1, 923	3, 904	1, 586	1, 565	3, 151	753
Newberry .....	3, 440	1, 958	11	1, 969	1, 471	3, 653	2, 049	802	2, 851	802
Orangeburg .....	5, 016	2, 991	36	3, 027	1, 989	5, 352	2, 957	1, 167	4, 124	1, 228
Oconee .....	-----	-----	-----	-----	-----	1, 714	627	627	1, 114	600
Pickens .....	3, 017	863	254	1, 117	1, 900	1, 322	391	434	825	497
Richland .....	4, 096	2, 329	24	2, 353	1, 743	4, 515	2, 501	1, 248	3, 749	766
Spartanburg .....	5, 115	1, 644	510	2, 154	1, 961	4, 550	1, 430	1, 983	3, 413	1, 137
Sumter .....	4, 671	3, 035	10	3, 045	1, 626	5, 009	3, 426	482	3, 908	1, 101
Union .....	3, 285	1, 669	61	1, 730	1, 553	3, 410	1, 390	771	2, 161	1, 249
Williamsburg .....	2, 620	1, 574	1	1, 575	1, 045	2, 694	1, 644	290	1, 934	760
York .....	4, 019	1, 757	7	1, 764	2, 255	4, 272	1, 933	1, 576	3, 509	763
Total .....	128, 056	68, 768	2, 278	71, 046	57, 010	133, 195	70, 558	27, 288	97, 846	35, 349

[Circular.]

HEADQUARTERS SECOND MILITARY DISTRICT,  
*Charleston, South Carolina, July 15, 1868.*

The following statement exhibits the number of persons registered as voters in South Carolina, under the reconstruction acts of Congress; and the vote for and against the convention, polled at the election held in that State on the 19th and 20th days of November, 1867; the number of persons registered April 14, 1868; and the vote for and against the constitution framed by that convention, and submitted to the people for ratification at the election held on the 14th, 15th, and 16th days of April, 1868; and the number of persons registered June 3, 1868; and the vote for county officers at the election held on the 2d and 3d days of June, 1868.

By command of Brevet Major General Ed. R. S. Canby:

*Aide-de-Camp, Acting Assistant Adjutant General.*

*Recapitulation of registration and elections on convention.\**

No.	Counties.	Registered to Nov. 19, 1867.			Vote on convention.				Registered, but not voting on convention.	Registered to April 14, 1868.			Vote on constitution.				Registered, but not voting on constitution.
		Whites.	Colored.	Aggregate.	Votes cast.	For.	Against.	Informal.		Whites.	Colored.	Aggregate.	Votes cast.	For.	Against.	Informal.	
1	Abbeville	1,747	3,413	5,160	2,929	2,928	.....	.....	2,240	1,819	3,479	5,298	3,921	2,821	1,100	.....	1,377
2	Anderson	1,988	1,387	3,375	1,443	1,364	79	.....	1,932	2,117	1,423	3,540	2,687	1,312	1,375	.....	853
3	Barnwell	1,924	3,690	5,620	2,472	2,472	.....	.....	3,148	1,970	3,885	5,855	4,045	3,357	687	.....	1,811
4	Beaufort	941	6,468	7,409	4,120	4,118	2	.....	3,289	972	6,671	7,643	5,098	4,939	159	.....	2,545
5	Berkeley	1,106	8,328	9,434	7,465	7,464	1	.....	1,969	.....	.....	.....	.....	.....	.....	.....	.....
6	Charleston	3,504	5,394	8,898	4,339	4,338	1	.....	4,559	5,395	14,287	19,682	15,616	12,282	3,334	.....	4,066
7	Chester	1,139	2,187	3,326	2,042	1,843	199	.....	1,284	1,245	2,235	3,480	2,731	1,750	981	.....	749
8	Chesterfield	1,088	834	1,922	1,122	877	245	.....	800	1,100	834	1,934	1,386	722	664	.....	548
9	Clarendon	765	1,556	2,321	1,242	1,241	1	.....	1,079	777	1,587	2,364	1,646	1,403	243	.....	718
10	Colleton	1,405	3,923	5,328	2,776	2,775	1	.....	2,552	1,445	3,956	5,401	3,465	3,083	382	.....	1,936
11	Darlington	1,785	3,589	5,374	2,876	2,873	3	.....	2,498	1,811	3,597	5,408	3,401	2,710	691	.....	2,007
12	Edgefield	2,529	4,381	6,910	3,812	3,811	1	.....	3,098	2,589	4,626	7,215	4,544	3,472	1,072	.....	2,671
13	Fairfield	948	2,449	3,397	2,053	2,046	7	.....	1,344	994	2,512	3,506	2,685	1,986	699	.....	821
14	Georgetown	450	2,737	3,187	2,445	2,444	.....	1	742	460	2,897	3,357	2,618	2,473	145	.....	739
15	Greenville	2,217	1,304	3,521	1,860	1,570	290	.....	1,661	2,253	1,333	3,586	2,398	1,610	788	.....	1,188
16	Horry	1,104	511	1,615	423	402	21	.....	1,192	1,119	522	1,641	1,179	406	773	.....	462
17	Kershaw	874	1,795	2,669	1,433	1,433	.....	.....	1,236	895	1,852	2,747	1,735	1,406	329	.....	1,012
18	Lancaster	925	863	1,788	1,215	883	324	.....	573	1,026	933	1,959	1,648	868	780	.....	311
19	Laurens	1,683	2,374	4,057	2,159	2,153	6	.....	1,898	1,734	2,425	4,159	3,038	1,901	1,137	.....	1,121
20	Lexington	1,484	984	2,468	1,229	1,560	169	.....	1,239	1,562	1,028	2,590	1,574	1,005	569	.....	1,016
21	Marion	1,875	1,752	3,627	1,475	1,474	1	.....	2,152	1,986	1,822	3,808	3,151	1,586	1,565	.....	657
22	Marlboro'	937	1,216	2,153	1,400	1,387	13	.....	753	945	1,225	2,170	1,693	1,258	435	.....	477
23	Newberry	1,368	2,088	3,456	1,969	1,958	11	.....	1,487	1,445	2,203	3,648	2,851	2,049	802	.....	797
24	Orangeburg	1,641	3,384	5,025	3,027	2,991	36	.....	1,998	1,753	3,590	5,343	4,124	2,957	1,167	.....	1,219
25	Pickens	2,038	807	2,845	1,117	863	254	.....	1,728	987	335	1,322	1,114	487	627	.....	208
26	Oconee	.....	.....	.....	.....	.....	.....	.....	.....	1,243	491	1,734	825	391	634	.....	909
27	Richland	1,253	2,844	4,097	2,353	2,329	24	.....	1,744	1,406	3,107	4,513	3,749	2,501	1,248	.....	764
28	Spartanburg	2,746	1,471	4,217	2,154	1,644	510	.....	2,063	3,023	1,506	4,529	3,413	1,430	1,983	.....	1,116
29	Sumter	1,242	3,467	4,709	3,045	3,035	10	.....	1,664	1,274	3,733	5,007	3,908	3,426	482	.....	1,099
30	Union	1,390	1,810	3,200	1,730	1,669	61	.....	1,470	1,485	1,925	3,410	2,161	1,390	771	.....	1,249
31	Williamsburg	823	1,768	2,591	1,575	1,574	1	.....	1,016	845	1,849	2,694	1,934	1,644	290	.....	760
32	York	2,007	2,052	4,059	1,764	1,757	7	.....	2,295	2,134	2,139	4,273	3,509	1,933	1,576	.....	764
Total		46,926	80,832	127,758	71,055	68,768	2,278	9	56,703	49,809	84,007	133,816	97,846	70,558	27,288	.....	35,970

\* Strict party tickets were not run.

## Constitution, governor, and sheriff, State of South Carolina.\*

No.	Counties.	Votes for governor.				Registered, but not voting for governor.	Registered to June 3, 1868.			Votes for sheriff.				Registered, but not voting for sheriff.
		Votes cast.	Republican.	Democrat.	Scattering.		Whites.	Colored.	Aggregate.	Votes cast.	Republican.	Democrat.	Scattering.	
1	Abbeville	3,921	2,821	1,100	.....	1,377	1,872	3,494	4,366	3,011	1,302	1,707	2	2,355
2	Anderson	2,683	1,286	1,397	.....	857	2,229	1,454	3,683	2,293	.....	.....	2,293	1,390
3	Barnwell	3,895	3,343	552	.....	1,960	2,061	3,998	6,059	2,878	2,067	811	.....	3,181
4	Beaufort	5,005	4,935	65	5	2,638	1,036	6,906	7,942	3,608	2,609	899	100	4,334
5	Berkeley	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
6	Charleston	12,353	12,288	65	.....	7,329	6,009	14,714	20,783	13,916	10,334	3,582	.....	6,867
7	Chester	2,725	1,742	983	.....	755	1,292	2,264	3,556	2,155	.....	148	2,007	1,401
8	Chesterfield	1,395	712	683	.....	539	1,206	874	2,080	1,411	534	877	.....	669
9	Clarendon	1,484	1,383	101	.....	880	790	1,604	2,394	880	545	335	.....	1,514
10	Colleton	3,230	3,071	159	.....	2,171	1,473	4,004	5,477	2,633	2,084	390	159	2,844
11	Darlington	3,283	2,701	582	.....	2,125	1,863	3,669	5,532	3,266	2,298	966	2	2,266
12	Edgefield	4,376	3,311	1,064	1	2,839	4,656	2,735	7,391	4,001	2,473	1,476	52	3,390
13	Fairfield	2,683	1,986	697	.....	823	1,054	2,580	3,634	2,345	1,385	960	.....	1,289
14	Georgetown	2,568	2,471	95	2	789	469	2,946	3,415	1,423	1,423	.....	.....	1,992
15	Greenville	2,361	1,588	773	.....	1,225	2,362	1,444	3,806	2,761	1,295	1,466	.....	1,045
16	Horry	1,101	332	769	.....	540	1,180	548	1,728	544	51	493	.....	1,184
17	Kershaw	1,730	1,406	324	.....	1,017	937	1,881	2,818	1,531	1,083	390	58	1,287
18	Lancaster	1,643	788	855	.....	316	1,059	945	2,004	1,566	685	881	.....	438
19	Laurens	2,994	1,895	1,099	.....	1,165	2,004	2,520	4,524	3,695	1,563	2,132	.....	829
20	Lexington	1,581	958	623	.....	1,009	1,650	1,052	2,702	1,746	740	1,006	.....	956
21	Marion	3,154	1,586	1,568	.....	654	2,037	1,859	3,896	2,409	997	1,033	379	1,487
22	Marlboro'	1,667	1,188	479	.....	503	978	1,237	2,215	1,264	782	433	49	951
23	Newberry	2,854	2,046	808	.....	794	1,508	2,259	3,767	1,991	1,890	.....	101	1,776
24	Orangeburg	4,110	2,957	1,153	.....	1,233	1,904	3,697	5,601	4,169	2,877	1,291	1	1,432
25	Pickens	1,601	338	663	.....	321	1,040	346	1,386	1,153	53	720	377	236
26	Oconee	749	336	413	.....	985	1,353	496	1,849	1,002	511	491	.....	847
27	Richland	3,747	2,501	1,246	.....	766	1,450	3,135	4,585	3,438	2,042	1,330	66	1,147
28	Spartanburg	3,354	1,383	1,971	.....	1,175	3,137	1,517	4,654	2,797	748	2,049	.....	1,857
29	Sumter	3,905	2,427	478	.....	1,102	1,287	3,741	5,028	1,480	1,453	20	7	3,548
30	Union	2,158	1,390	768	.....	1,252	1,587	1,967	3,554	2,573	701	1,872	.....	981
31	Williamsburg	1,642	1,642	.....	.....	1,052	863	1,903	2,766	921	786	128	7	1,845
32	York	3,568	1,882	1,686	.....	705	2,190	2,147	4,337	2,071	198	1,873	.....	2,266
Total		92,920	69,693	23,219	8	40,896	54,536	83,996	138,532	80,928	45,509	29,759	5,660	57,604

\* Registration from actual count; vote cast from canvass returns.

## REPORT OF BREVET MAJOR GENERAL ALVAN C. GILLEM.

## HEADQUARTERS FOURTH MILITARY DISTRICT,

## DEPARTMENT OF MISSISSIPPI,

*Vicksburg, Mississippi, November 1, 1868.*

SIR: I have the honor to submit the following report of my command for the past year:

On the 9th day of January last, in compliance with General Orders No. 104, of December 28, 1867, I assumed command of the 4th military district, at that time comprising the States of Arkansas and Mississippi. For administration and command the district was divided into the sub-districts of Arkansas and Mississippi, comprising the troops in the respective States; the former commanded by Brevet Brigadier General (now Brevet Major General) C. H. Smith, and consisting of the 19th and 28th infantry, and light G battery of the 5th artillery; the latter commanded by myself, prior to my assignment to the command of the district, and the command of which I retained, consisted of the 24th and 34th regiments of infantry, and companies D and E, 5th regiment cavalry.

At the date of my assuming command the troops in the district were stationed as follows:

*Stations of troops January 1, 1868.*

Station.	Commanding officer.	Troops.
Vicksburg, Miss...	Bvt. Col. N. A. M. Dudley..	Headquarters, and Cos. A, B, D, F, I, and K, 24th infantry.
Meridian, Miss .....	.....	.....
Jackson, Miss.....	Bvt. Maj. T. H. Norton .....	Companies C and E, 24th U. S. infantry; Cos. D and E, 5th U. S. cavalry.
Natchez, Miss.....	Bvt. Lieut. Col. Jas. Biddle..	Companies G and H, 24th U. S. infantry.
Grenada, Miss.....	Bvt. Maj. A. W. Allyn .....	Headquarters, and Cos. B, E, and H, 34th infantry.
Columbus, Miss ...	Capt. Jas. Kelly .....	Companies A and F, 34th U. S. infantry.
Holly Springs, Miss.	Bvt. Maj. John Power.....	Band; Cos. C and G, 34th infantry.
Corinth, Miss.....	1st Lieut. Allen Almy .....	Companies A and F, 34th infantry.
Greensboro', Miss..	Capt. W. G. Wedemeyer ...	Co. D, 34th infantry.
Little Rock, Ark...	Bvt. Maj. Gen. R. C. Arnold, captain 5th artillery.	Band; light battery G, 5th artillery; headquarters, and Cos. A, B, C, E, and G, 28th infantry.
Pine Bluff, Ark....	1st Lieut. J. McL. Barton..	Company D, 28th U. S. infantry.
Batesville, Ark....	Bvt. Lt. Col. Wm J. Lyster	Company B, 19th U. S. infantry.
Fort Smith, Ark...	Lieut. Col. P. Lugenbeel...	Headquarters, and Cos. A, E, F, G, H, and K, 19th infantry.
Camden, Ark.....	Capt. H. M. Smith .....	Companies H and I, 28th infantry.
Washington, Ark..	Bvt. Col. J. E. Fourtellotte	Companies F and K, 28th U. S. infantry.
Madison, Ark.....	1st Lieut. And. Campbell ..	Company C, 19th U. S. infantry.
Dover, Ark.....	Capt. H. Clayton .....	Company I, 19th infantry.
Fayetteville, Ark ..	Capt. W. O. Lattimore.....	Company D, 19th U. S. infantry.

No change of any importance was made in the stations of the troops until March, at which time (March 13-27) the election on the adoption of the constitution occurred in the State of Arkansas. General Smith, commanding in that State, was instructed to so dispose his troops as to insure quiet and suppress violence and disorder, should it occur at or in the vicinity of the polls, but they were in no manner to interfere in

the election. In case of riot or disorder, or upon being called upon by the commissioners of election or sheriff, the commanding officer was directed to see that law and order were maintained, he being in all cases the judge of necessity for the use of force, and responsible that it was not used unnecessarily, the manner in which the election was conducted, and my orders executed. Attention is invited to my report on the election in Arkansas, made to the General of the army of the United States, dated April 22, 1868. After the election was completed in Arkansas the troops in that State resumed their former posts.

In Mississippi no change of importance was made in the stations of the troops until June, on the 22d of which month the election on the adoption of the constitution began. Much excitement existed, and party feeling ran high. Both parties reported *anticipated* outrages, and interference with the exercise of the right of the elective franchise. All complaints and reports received careful consideration, and *every* application for assistance was granted, by sending troops as requested. Four companies of infantry were sent from department of the Cumberland to this State, to serve during the election. These, with the troops serving in the State, were stationed at 60 different points during the election. After assigning all available members of the district staff to the command of detachments, intelligent non-commissioned officers were detailed for that service. For the manner in which the election was conducted, and the result of the same, I invite attention to my report of July 14, 1868, heretofore forwarded.

After the election the troops from the department of the Cumberland returned to their command, and those of the sub-district of Mississippi resumed their proper stations, as shown by station report of July, hereto appended. Since July but few changes, and they unimportant, have been made in the stations of the troops in Mississippi.

On the 4th of August, 1868, General Order No. 55 was received, detaching the State of Arkansas from the 4th military district, and the same day I relinquished command of the troops stationed in that State.

In order to a more correct understanding of my official course in regard to the elections in the States of Arkansas and Mississippi, I earnestly request that my reports on the subject may accompany and be made a part of this report.

There has been a marked improvement in the material prosperity of this State during this year. In 1867 the cotton crop was almost a failure; but little corn had been planted. The consequence was, that employes were unable to meet their obligations to either their laborers or the merchants from whom they had received supplies. This caused great destitution and consequent discontent among the freedmen, who compose the body of laborers in this State. The planter was disposed to attribute the failure of the crops to the system of labor he had been compelled to employ, instead of to the vicissitudes of the season, the real cause; whilst the laborers, failing to receive their just dues, attributed their loss to a premeditated intention to defraud them. Such was the condition of affairs on the first of January. Both planters and laborers were disheartened and discontented; both were urgent in their appeals for assistance: the former claiming that merchants would not make the advances necessary to enable them to cultivate their lands, and that without assistance the land would lay idle, and the unemployed laborer suffer starvation; the latter claiming that they could get no guarantee of payment for their labor; asking assistance to enable them to plant on their own account. Believing that aid extended by the government would not be a benefit to either party, but, on the contrary, would be a

positive injury, by encouraging extravagance in the planter and idleness and dependence on the part of the laborer, I declined advancing provisions to either. I at once, both personally and by prudent and discreet officers, urged landholders to plant as extensively as their means would permit, and that such as had no means at their disposal should cultivate on the shares or rent. The freedmen were urged to contract for the year, and assured that both parties would be held to a strict compliance with their agreement. All were urged to devote more land and labor to the production of corn. Finding no aid would be extended by the government all set about helping themselves, with the confidence inspired by self-reliance, and soon the demand for labor exceeded the supply, and has so continued to this date. Thanks to energy and industry, favored by a good season, an abundant crop of corn—more than a year's supply, and by some estimated as a supply sufficient for two years—has been secured, whilst the yield of cotton in the State is very great—estimated at as high as 350,000 bales. At present prices, this will produce more than \$30,000,000.

There have been but few complaints this year, by either the laborer or his employer. A few more such years will work a wonderful change in the condition of all classes, by establishing the mutual confidence so necessary to the prosperity of the State.

I have devoted so much space to the planting interest in consequence of the influence it has exerted on the administration of justice. Last year, the civil courts of the State, bureau agents, and the arbitration boards established by General Ord, were overrun with complaints from merchants, planters, and freedmen. This year but few complaints have been brought to my notice; not one in the large sub-district of Vicksburg.

Being charged by the third section of the act of March 2, 1867, with protecting "all persons in their rights of person and property," I have, in compliance with the same section, permitted the local tribunals to take cognizance of all cases, civil and criminal, except in rare instances, where, from excitement or prejudice, engendered either by political feeling or local animosities, I was convinced that justice would not be done. The courts of record have, almost without exception, performed their duties impartially. Minor courts, such as justices of the peace and the mayors of towns, are not always so fair. In every case where complaint is made of injustice, investigation is instituted, and if the complaint is well founded the wrong is redressed.

The great defect in the administration of justice is not in the courts; after offenders are once in custody their trial and punishment usually follows. The difficulty lies in identifying and arresting criminals. In many instances crimes, either of murder or aggravated assault and battery, are committed at night by persons in disguise, who cannot be recognized by their victim or witnesses. In other instances the criminals flee from the State. In all instances every exertion is made by the military to arrest and bring offenders to trial. The civil authorities generally do what is in their power to maintain order and enforce law. By energetic co-operation of the civil and military, I have reason to hope that I shall be able to arrest and cause to be punished all disturbers of the peace and criminals, who generally belong to that class which infests all communities, who, with nothing to lose, hope to gain something by any disorders they may create.

On the 22d of August, 1868, I received a communication from Y. D. Freeman, chairman democratic central committee of Mississippi, requesting me to issue an order for the holding of an election for electors for



President and Vice-President in Mississippi. In reply, I informed him that neither the reconstruction acts nor any orders under which I was acting either required or authorized me to hold the election referred to, and therefore I declined to issue the order indicated in his communication. On the 19th of October I received a second letter from Mr. Freeman, calling my attention to General Order No. 82, from headquarters of the army, and again urging me to issue an order for the election. In reply, he was informed that, after a careful examination of the order, I could find no provision in it requiring or authorizing me to hold the election, but, on the contrary, the order positively prohibited me, as an officer of the army, from interfering in any manner with the election.

On the 24th of October, 1868, I received a telegram from the Adjutant General of the army, dated October 22, 1868, requesting me, if possible, to send a portion of the troops of my command to assist General Rousseau in maintaining order during the election. The same day five companies of the 34th infantry were ordered by telegraph to report to General Rousseau at New Orleans, and the order was at once complied with. Since that date two other detachments—one from Natchez and the other from Vicksburg—have proceeded to Vidalia and Young's Point, Louisiana, at the request of General Rousseau.

I enclose herewith the reports of the chiefs of the staff departments. I have the honor to be, very respectfully, your obedient servant,

ALVAN C. GILLEM,

*Brevet Maj. Gen. U. S. A., Commanding 4th Military Dist.*

ADJUTANT GENERAL U. S. A.

*Station report of troops in the fourth military district, from January 31, 1868, to October 31, 1868.*

VICKSBURG, MISSISSIPPI.

January 31, 1868.—Commanding officer, Bvt. Col. N. A. M. Dudley. Troops—Band, headquarters, and companies A, B, D, F, I, and K, 24th infantry.

February 29, 1868.—Commanding officer, Bvt. Col. N. A. M. Dudley. Troops—Band, headquarters, and companies A, B, D, F, I, and K, 24th infantry.

March 31, 1868.—Commanding officer, Bvt. Col. N. A. M. Dudley. Troops—Band, headquarters, and companies A, B, D, F, I, and K, 24th infantry.

April 30, 1868.—Commanding officer, Bvt. Lt. Col. N. A. M. Dudley. Troops—Band, headquarters, and companies A, B, D, F, I, and K, 24th infantry.

May 31, 1868.—Commanding officer, Bvt. Maj. Gen. A. Ames. Troops—Band, headquarters, and companies A, D, F, I, and K, 24th infantry.

June 30, 1868.—Commanding officer, Bvt. Maj. Lynde Catlin. Troops—Band, headquarters, and companies A, D, F, I, and K, 24th infantry.

July 31, 1868.—Commanding officer, Bvt. Maj. Lynde Catlin. Troops—Band, headquarters, and companies A, D, F, I, and K, 24th infantry.

August 31, 1868.—Commanding officer, Bvt. Maj. Lynde Catlin. Troops—Band, headquarters, and companies A, D, F, I, and K, 24th infantry.

September 30, 1868.—Commanding officer, Bvt. Maj. Lynde Catlin. Troops—Band, headquarters, and companies A, B, H, I, and K, 24th infantry.

October 31, 1868.—Commanding officer, Bvt. Maj. Lynde Catlin. Troops—Band, headquarters, and companies A, D, F, I, and K, 24th infantry.

JACKSON, MISSISSIPPI.

January 31, 1868.—Commanding officer, Bvt. Maj. C. A. Wilkoff. Troops—Companies C and E, 24th infantry; companies D and E, 5th cavalry.

February 29, 1868.—Commanding officer, Bvt. Maj. T. H. Norton. Troops—Companies C and E, 24th infantry; companies D and E, 5th cavalry.

March 31, 1868.—Commanding officer, Bvt. Maj. T. H. Norton. Troops—Companies C and E, 24th infantry; companies D and E, 5th cavalry.

April 30, 1868.—Commanding officer, Bvt. Maj. T. H. Norton. Troops—Companies C and E, 24th infantry; companies D and E, 5th cavalry.

May 31, 1868.—Commanding officer, Bvt. Lt. Col. J. Biddle. Troops—Companies C and H, 24th infantry; companies D and E, 5th cavalry.

June 30, 1868.—Commanding officer, Bvt. Lt. Col. J. Biddle. Troops—Companies C and H, 24th infantry; companies D and E, 5th cavalry.

July 31, 1868.—Commanding officer, Bvt. Lt. Col. J. Biddle. Troops—Companies C and H, 24th infantry; companies D and E, 5th cavalry.

August 31, 1868.—Commanding officer, Bvt. Lt. Col. J. Biddle. Troops—Companies C and H, 24th infantry; companies D and E, 5th cavalry.

September 30, 1868.—Commanding officer, Bvt. Lt. Col. J. Biddle. Troops—Companies C and H, 24th infantry; companies D and E, 5th cavalry.

October 31, 1868.—Commanding officer, Bvt. Lt. Col. J. Biddle. Troops—Companies C and H, 24th infantry; companies D and E, 5th cavalry.

#### NATCHEZ, MISSISSIPPI.

January 31, 1868.—Commanding officer, Bvt. Lt. Col. J. Biddle. Troops—Companies G and H, 24th infantry.

February 29, 1868.—Commanding officer, Bvt. Lt. Col. J. Biddle. Troops—Companies G and H, 24th infantry.

March 31, 1868.—Commanding officer, Bvt. Lt. Col. J. Biddle. Troops—Companies G and H, 24th infantry.

April 30, 1868.—Commanding officer, 1st Lt. George Haller. Troops—Companies G and H, 24th infantry.

May 31, 1868.—Commanding officer, Bvt. Maj. C. A. Wikoff. Troops—Companies E and G, 24th infantry.

June 30, 1868.—Commanding officer, Bvt. Col. N. A. M. Dudley. Troops—Companies E and G, 24th infantry.

July 31, 1868.—Commanding officer, Bvt. Col. N. A. M. Dudley. Troops—Companies E and G, 24th infantry.

August 31, 1868.—Commanding officer, Bvt. Col. N. A. M. Dudley. Troops—Companies E and G, 24th infantry.

September 30, 1868.—Commanding officer, Bvt. Col. N. A. M. Dudley. Troops—Companies E and G, 24th infantry.

October 31, 1868.—Commanding officer, Bvt. Col. N. A. M. Dudley. Troops—Companies E and G, 24th infantry.

#### GRENADA, MISSISSIPPI.

January 31, 1868.—Commanding officer, Bvt. Maj. A. W. Allyn. Troops—Headquarters and companies B, D, E, and H, 34th infantry.

February 29, 1868.—Commanding officer, Bvt. Maj. Gen. G. Pennypacker. Troops—Headquarters and companies B, D, E, and H, 34th infantry.

March 31, 1868.—Commanding officer, Bvt. Maj. Gen. G. Pennypacker. Troops—Headquarters and companies B, D, E, and H, 34th infantry.

April 30, 1868.—Commanding officer, Bvt. Maj. Gen. G. Pennypacker. Troops—Headquarters and companies B, D, E, and H, 34th infantry.

May 31, 1868.—Commanding officer, Bvt. Maj. Gen. G. Pennypacker. Troops—Headquarters and companies B, D, E, and H, 34th infantry.

June 30, 1868.—Commanding officer, Bvt. Maj. Gen. G. Pennypacker. Troops—Headquarters and companies B, D, E, and H, 34th infantry.

July 31, 1868.—Commanding officer, Bvt. Maj. Gen. G. Pennypacker. Troops—Headquarters and companies B, D, and H, 34th infantry.

August 31, 1868.—Commanding officer, Bvt. Maj. A. W. Allyn. Troops—Headquarters and companies B, D, E, and H, 34th infantry.

September 30, 1868.—Commanding officer, Bvt. Maj. Gen. G. Pennypacker. Troops—Headquarters and companies B, D, E, and H, 34th infantry.

October 31, 1868.—Commanding officer, Bvt. Maj. Gen. G. Pennypacker. Troops—Headquarters and companies B, D, E, and I, 34th infantry.

#### COLUMBUS, MISSISSIPPI.

January 31, 1868.—Commanding officer, Bvt. Maj. Gen. A. V. Kautz. Troops—Companies A and F, 34th infantry.

February 29, 1868.—Commanding officer, Bvt. Maj. Gen. A. V. Kautz. Troops—Companies A and F, 34th infantry.

March 31, 1868.—Commanding officer, Bvt. Maj. Gen. A. V. Kautz. Troops—Companies A and F, 34th infantry.

April 30, 1868.—Commanding officer, Bvt. Maj. Gen. A. V. Kautz. Troops—Companies A and F, 34th infantry.

May 31, 1868.—Commanding officer, Bvt. Maj. Gen. A. V. Kautz. Troops—Companies A and F, 34th infantry.

June 30, 1868.—Commanding officer, Bvt. Maj. Gen. A. V. Kautz. Troops—Companies A and F, 34th infantry.

July 31, 1868.—Commanding officer, Bvt. Maj. W. H. Bartholomew. Troops—Companies A and F, 34th infantry.

August 31, 1868.—Commanding officer, Bvt. Maj. W. H. Bartholomew. Troops—Companies A and F, 34th infantry.

September 30, 1868.—Commanding officer, Capt. James Kelly. Troops—Companies A and F, 34th infantry.

October 31, 1868.—Commanding officer, Capt. James Kelly. Troops—Companies A and F, 34th infantry.

#### HOLLY SPRINGS, MISSISSIPPI.

January 31, 1868.—Commanding officer, Bvt. Maj. J. Power. Troops—Band, companies C and G, 34th infantry.

February 29, 1868.—Commanding officer, Bvt. Maj. J. Power. Troops—Companies C and G, 34th infantry.

March 31, 1868.—Commanding officer, Bvt. Maj. J. Power. Troops—Companies C and G, 34th infantry.

April 30, 1868.—Commanding officer, Bvt. Maj. J. Power. Troops—Companies C and G, 34th infantry.

May 31, 1868.—Commanding officer, Bvt. Maj. J. Power. Troops—Companies C and G, 34th infantry.

June 30, 1868.—Commanding officer, Bvt. Maj. J. Power. Troops—Companies C and G, 34th infantry.

July 31, 1868.—Commanding officer, Bvt. Maj. J. Power. Troops—Companies C and G, 34th infantry.

August 31, 1868.—Commanding officer, Bvt. Maj. J. Power. Troops—Companies C and G, 34th infantry.

September 30, 1868.—Commanding officer, Bvt. Maj. J. Power. Troops—Companies C and G, 34th infantry.

October 31, 1868.—Commanding officer, Bvt. Maj. J. Power. Troops—Companies C and G, 34th infantry.

#### CORINTH, MISSISSIPPI.

January 31, 1868.—Commanding officer, Bvt. Lt. Col. L. Wheaton. Troops—Companies I and K, 34th infantry.

February 29, 1868.—Commanding officer, Bvt. Lt. Col. L. Wheaton. Troops—Companies I and K, 34th infantry.

March 31, 1868.—Commanding officer, Bvt. Lt. Col. L. Wheaton. Troops—Companies I and K, 34th infantry.

April 30, 1868.—Commanding officer, Bvt. Lt. Col. L. Wheaton. Troops—Companies I and K, 34th infantry.

May 31, 1868.—Commanding officer, Bvt. Lt. Col. L. Wheaton. Troops—Companies I and K, 34th infantry.

June 30, 1868.—Commanding officer, Bvt. Lt. Col. L. Wheaton. Troops—Companies I and K, 34th infantry.

July 31, 1868.—Commanding officer, Bvt. Lt. Col. L. Wheaton. Troops—Companies I and K, 34th infantry.

August 31, 1868.—Commanding officer Bvt. Lt. Col. L. Wheaton. Troops—Companies I and K, 34th infantry.

September 30, 1868.—Commanding officer, 1st Lt. Allyn Almy. Troops—Companies I and K, 34th infantry.

October 31, 1868.—Commanding officer, Bvt. Lt. Col. L. Wheaton. Troops—Company K, 34th infantry.

#### DURANT, MISSISSIPPI.

June 30, 1868.—Commanding officer, Capt. Waller Clifford. Troops—Company G, 34th infantry.

#### BROOKHAVEN, MISSISSIPPI.

May 31, 1868.—Commanding officer, 1st Lt. E. C. Gilbreath. Troops—Company B, 24th infantry.

June 30, 1868.—Commanding officer, 1st Lt. E. C. Gilbreath. Troops—Company B, 24th infantry.

July 31, 1868.—Commanding officer, 2d Lt. G. G. Lott. Troops—Company B, 24th infantry.

August 31, 1868.—Commanding officer, 2d Lt. G. G. Lott. Troops—Company B, 24th infantry.

September 30, 1868.—Commanding officer, Capt. Geo. Haller. Troops—Company B, 24th infantry.

October 31, 1868.—Commanding officer, Capt. Geo. Haller. Troops—Company B, 24th infantry.

#### LAUDERDALE, MISSISSIPPI.

October 31, 1868.—Commanding officer, Bvt. Maj. J. A. Hearn. Troops—Company H, 34th infantry.

#### LITTLE ROCK, ARKANSAS.

January 31, 1868.—Commanding officer, Bvt. Maj. Gen. R. Arnold, captain 5th artillery. Troops—Headquarters and companies A, B, C, E, and G, 28th infantry; light battery G, 5th artillery; band.

February 29, 1868.—Commanding officer, Bvt. Maj. Gen. R. Arnold, captain 5th artillery. Troops—Headquarters and companies A, B, C, E, and G, 28th infantry; light battery G, 5th artillery; band.

March 31, 1868.—Commanding officer, Bvt. Maj. Gen. R. Arnold, captain 5th artillery. Troops—Headquarters and companies A, B, C, E, and G, 28th infantry; light battery G, 5th artillery; band.

April 30, 1868.—Commanding officer, Bvt. Maj. Gen. R. Arnold, captain 5th artillery. Troops—Headquarters and companies A, B, C, E, and G, 28th infantry; light battery G, 5th artillery; band.

May 31, 1868.—Commanding officer, Bvt. Maj. Gen. R. Arnold, captain 5th artillery. Troops—Headquarters and companies A, B, C, E, and G, 28th infantry; light battery G, 5th artillery; band.

June 30, 1868.—Commanding officer, Bvt. Maj. Gen. R. B. Ayres. Troops—Headquarters and companies A, B, C, E, and G, 28th infantry; light battery G, 5th artillery; band.

July 31, 1868.—Commanding officer, Bvt. Maj. A. H. Andrews. Troops—Headquarters and companies A, B, C, E, 28th infantry; light battery G, 5th artillery; band.

#### PINE BLUFF, ARKANSAS.

January 31, 1868.—Commanding officer, 1st Lt. John McL. Barton. Troops—Company D, 28th infantry.

February 29, 1868.—Commanding officer, 1st Lt. John McL. Barton. Troops—Company D, 28th infantry.

March 31, 1868.—Commanding officer, 1st Lt. John McL. Barton. Troops—Company D, 28th infantry.

April 30, 1868.—Commanding officer, 1st Lt. John McL. Barton. Troops—Company D, 28th infantry.

May 31, 1868.—Commanding officer, Bvt. Lt. Col. R. W. Barnard. Troops—Company D, 28th infantry.

June 30, 1868.—Commanding officer, Bvt. Lt. Col. R. W. Barnard. Troops—Company D, 28th infantry.

July 31, 1868.—Commanding officer, Bvt. Lt. Col. R. W. Barnard. Troops—Company D, 28th infantry.

#### BATESVILLE, ARKANSAS.

January 31, 1868.—Commanding officer, Bvt. Lt. Col. W. J. Lyster. Troops—Company B, 19th infantry.

February 29, 1868.—Commanding officer, Bvt. Lt. Col. J. B. Mulligan. Troops—Company B, 19th infantry.

March 31, 1868.—Commanding officer, Bvt. Lt. Col. J. B. Mulligan. Troops—Company B, 19th infantry.

April 30, 1868.—Commanding officer, 1st Lt. D. Carolin. Troops—Company B, 19th infantry.

May 31, 1868.—Commanding officer, Bvt. Lt. Col. J. B. Mulligan. Troops—Company B, 19th infantry.

June 30, 1868.—Commanding officer, Bvt. Lt. Col. W. J. Lyster. Troops—Company B, 19th infantry.

July 31, 1868.—Commanding officer, Bvt. Lt. Col. W. J. Lyster. Troops—Company B, 19th infantry.

#### FORT SMITH, ARKANSAS.

January 31, 1868.—Commanding officer, Lt. Col. P. Lugenbeel. Troops—Headquarters and companies A, E, F, G, H, and K, 19th infantry.

February 29, 1868.—Commanding officer, Lt. Col. P. Lugenbeel. Troops—Headquarters and companies A, E, F, G, H, and K, 19th infantry.

March 31, 1868.—Commanding officer, Lt. Col. P. Lugenbeel. Troops—Headquarters and companies A, E, F, G, H, and K, 19th infantry.

April 30, 1868.—Commanding officer, Lt. Col. P. Lugenbeel. Troops—Headquarters and companies A, E, F, G, H, and K, 19th infantry.

May 31, 1868.—Commanding officer, Lt. Col. P. Lugenbeel. Troops—Headquarters and companies A, E, F, G, H, and K, 19th infantry.

June 30, 1868.—Commanding officer, Lt. Col. P. Lugenbeel. Troops—Headquarters and companies A, E, F, G, H, and K, 19th infantry.

July 31, 1868.—Commanding officer, Lt. Col. P. Lugenbeel. Troops—Headquarters and companies A, E, F, G, H, and K, 19th infantry.

#### CAMDEN, ARKANSAS.

January 31, 1868.—Commanding officer, Capt. H. M. Smith. Troops—Companies H and I, 28th infantry.

February 29, 1868.—Commanding officer, Capt. H. M. Smith. Troops—Companies H and I, 28th infantry.

March 31, 1868.—Commanding officer, Capt. H. M. Smith. Troops—Companies H and I, 28th infantry.

April 30, 1868.—Commanding officer, Capt. H. M. Smith. Troops—Companies H and I, 28th infantry.

May 31, 1868.—Commanding officer, Capt. H. M. Smith. Troops—Companies H and I, 28th infantry.

June 30, 1868.—Commanding officer, Capt. H. M. Smith. Troops—Companies H and I, 28th infantry.

July 31, 1868.—Commanding officer, Capt. H. M. Smith. Troops—Companies G and H, 19th infantry.

#### WASHINGTON, ARKANSAS.

January 31, 1868.—Commanding officer, Bvt. Maj. H. E. Stansbury. Troops—Companies F and K, 28th infantry.

February 29, 1868.—Commanding officer, Bvt. Col. C. C. Gilbert. Troops—Companies F and K, 28th infantry.

March 31, 1868.—Commanding officer, Bvt. Col. C. C. Gilbert. Troops—Companies F and K, 28th infantry.

April 30, 1868.—Commanding officer, Bvt. Col. C. C. Gilbert. Troops—Companies F and K, 28th infantry.

May 31, 1868.—Commanding officer, Bvt. Col. C. C. Gilbert. Troops—Companies F and K, 28th infantry.

June 30, 1868.—Commanding officer, Bvt. Col. C. C. Gilbert. Troops—Companies F and K, 28th infantry.

July 31, 1868.—Commanding officer, Bvt. Col. C. C. Gilbert. Troops—Companies F and K, 28th infantry.

#### MADISON, ARKANSAS.

January 31, 1868.—Commanding officer, Bvt. Lt. Col. T. C. Williams. Troops—Company C, 19th infantry.

February 29, 1868.—Commanding officer, Bvt. Lt. Col. T. C. Williams. Troops—Company C, 19th infantry.

March 31, 1868.—Commanding officer, Bvt. Lt. Col. T. C. Williams. Troops—Company C, 19th infantry.

April 30, 1868.—Commanding officer, Bvt. Lt. Col. T. C. Williams. Troops—Company C, 19th infantry.

May 31, 1868.—Commanding officer, Bvt. Lt. Col. T. C. Williams. Troops—Company C, 19th infantry.

June 30, 1868.—Commanding officer, Bvt. Lt. Col. T. C. Williams. Troops—Company C, 19th infantry.

July 31, 1868.—Commanding officer, Bvt. Lt. Col. T. C. Williams. Troops—Company C, 19th infantry.

#### DOVER, ARKANSAS.

January 31, 1868.—Commanding officer, Capt. H. Clayton. Troops—Company I, 19th infantry.

February 29, 1868.—Commanding officer, Capt. H. Clayton. Troops—Company I, 19th infantry.

March 31, 1868.—Commanding officer, Capt. H. Clayton. Troops—Company I, 19th infantry.

April 30, 1868.—Commanding officer, Capt. H. Clayton. Troops—Company I, 19th infantry.

May 31, 1868.—Commanding officer, 1st Lt. J. S. Wilson. Troops—Company I, 19th infantry.

June 30, 1868.—Commanding officer, 1st Lt. J. S. Wilson. Troops—Company I, 19th infantry.

July 31, 1868.—Commanding officer, 1st Lt. J. S. Wilson. Troops—Company I, 19th infantry.

#### FAYETTEVILLE, ARKANSAS.

January 31, 1868.—Commanding officer, Capt. W. O. Lattimore. Troops—Company D, 19th infantry.

February 29, 1868.—Commanding officer, Capt. W. O. Lattimore. Troops—Company D, 19th infantry.

March 31, 1868.—Commanding officer, Maj. A. E. Latimer. Troops—Company D, 19th infantry.

April 30, 1868.—Commanding officer, Maj. A. E. Latimer. Troops—Company D, 19th infantry.

May 31, 1868.—Commanding officer, Maj. A. E. Latimer. Troops—Company D, 19th infantry.

June 30, 1868.—Commanding officer, Maj. A. E. Latimer. Troops—Company D, 19th infantry.

July 31, 1868.—Commanding officer, Maj. A. E. Latimer. Troops—Company D, 19th infantry.

Official:

JOHN TYLER,

*First Lt. 43d Infantry, Bvt. Maj. U. S. A., A. A. A. G.*

*Rations issued to destitutes in Mississippi, not inmates of hospitals and asylums, from January 1, 1868, to September 30, 1868, inclusive.*

To refugees.....	6, 762 rations, valued at.....	\$1, 090 88
To freedmen.....	108 rations, valued at.....	19 80
Total.....	6, 870 rations, valued at.....	<u>1, 110 68</u>

The above shows total amount expended in Mississippi for relief of refugees and freedmen not inmates of hospitals or asylums.

ALVAN C. GILLEM,

*Brevet Maj. Gen. U. S. A., Asst. Comm'r State of Mississippi.*

#### HEADQUARTERS FOURTH MILITARY DISTRICT,

(MISSISSIPPI AND ARKANSAS,)

*Vicksburg, Mississippi, April 22, 1868.*

GENERAL: I have the honor to submit the following report of the election held in the State of Arkansas on the adoption of the constitution framed by the convention assembled in accordance with the acts usually known as the military reconstruction laws.

When I assumed command of the fourth military district, January 9, 1868, in compliance with General Orders No. 104, from headquarters of the army, 1867, the constitutional convention of Arkansas was in session; and shortly after my arrival a messenger (Hon. Asa Hodges, a member of the convention) arrived bearing a resolution of the convention requesting me to authorize the State treasurer to advance \$75,000 to defray the expenses of the convention. The act of March 23, 1867, making it imperative that the convention should "provide for the levy and collection

of such taxes on the property in said State as may be necessary to carry into effect the purposes of this act," I authorized the State treasurer to advance \$50,000, to be replaced when the tax levied in compliance with the above section should be collected. In taking this action I had two motives in view: first, to facilitate the transaction of the business for which the convention was called together; secondly, to extend the time allowed for the collection of the tax, and thereby render it less burdensome to the people, already greatly impoverished.

In connection with this subject attention is respectfully invited to the correspondence herewith accompanying, and marked Appendix A, Nos. 1, 2, 3, 4, 5, 6, 7, and 8, as explanatory of my action in the premises.

In order to avoid delay in holding the election on the constitution framed by the convention early in February I directed instructions to be prepared for General Smith, commanding sub-district of Arkansas, as to the manner of conducting the election. These instructions (see Appendix B, No. 4) were forwarded by mail to General Smith on the 12th of February. On the same day a telegram was received from General Smith (Appendix B, No. 5) informing me that the constitution and election ordinance had been adopted by the convention on the 11th of February, and that March the 15th had been fixed upon as the day for the beginning of the election in which it was to be submitted to the people.

Fearing that the limited time allowed would be insufficient to enable me to make the necessary arrangements for securing a thorough and impartial expression of the will of the people, General Smith was telegraphed (see Appendix B, No. 6) to know if the time could not be extended a few days. In reply, General Smith informed me (see Appendix B, No. 7) that the time for holding the election was fixed by the constitution itself, and therefore could not be changed. Instructions were at once issued by telegraph (see Appendix B, No. 9, to which especial attention is called) directing General Smith to use every exertion in organizing the boards of registration for revision of the registration provided for in section seven of the act of July 19, 1867, and holding the election provided for in section five, March 23, 1867.

For information as to the manner in which these orders were carried out attention is invited to the letter of General Smith of February 14. (Appendix B, No. 14,) and his instructions, (Appendix B, No. 15.)

On the 14th of February, General Orders No. 7, from headquarters fourth military district, providing for the submission of the constitution to the registered voters of Arkansas, was issued, for copy of which see Appendix B, No. 16. It will be seen by this order, paragraph 9, that "no registrar, judge, or clerk will be permitted to become a candidate for office at the election for which he served as commissioner." Attention is invited to this paragraph from the fact that fraud is charged on account of some of the commissioners of election having been candidates for State and county offices, (see Appendix B, No. 29,) the elections for which were held at separate and distinct polls, the proceedings at which were not under the control of the registrars, (see Appendix B, No. 20, and in fact it would have been difficult to have found men of the necessary qualifications to act as officers of the election and who could have taken the required oath.

Application was made to have the time allowed for the revision of the registration extended beyond the five days prescribed by law, but, considering the law imperative, the registration was limited to five days (see Appendix B, No. 32.)

Complaint having been made that the troops and agents of the bureau

would be used to influence voters, I ordered that while the troops should be held in readiness to enforce order or suppress violence, that they should not be placed in the immediate vicinity of the polls.

On the 13th of March the election began, as provided for by the constitution and election ordinance. On the afternoon of the 14th instant the following telegram was received from the General-in-chief:

WASHINGTON, D. C., *March 13, 1868.*

The last amendatory act passed is now law. It provides that majority of votes actually cast determines adoption or rejection of constitution; also, that the electors may at the same time vote for members of Congress and all the elective officers provided for by said constitution.

U. S. GRANT.

Major General A. C. GILLEM.

The convention having provided for the election of State and county officers separate from those held on the ratification of the constitution, and by voters other than those qualified under the reconstruction act, the second paragraph of the above despatch could not affect the election conducted under the orders of the district commander in Arkansas.

The election was held as ordered; but owing to the irregularities of the mail facilities or other means of communication, the returns were not all received until to-day, April 22d, although every endeavor has been made to obtain them at an earlier day; and to that end special messengers and the telegraph have been liberally used.

The following table shows the vote as received from the registrars:

*Consolidated report of election held in the State of Arkansas, commencing March 13, 1868, upon the ratification of the constitution.*

County.	For constitution.	Against constitution.	Total vote.	Total number of registered voters.	Remarks.
Arkansas.....	1,233	169	1,402	1,826	
Ashley.....	414	626	1,040	1,418	
Bradley.....	256	546	802	1,274	
Benton.....	97	875	972	1,179	
Calhoun.....	84	364	448	637	
Chicot.....	714	193	907	1,857	
Carroll.....	105	501	606	905	
Clark.....	462	753	1,215	1,675	
Columbia.....	591	977	1,568	2,200	
Crittenden.....	496	123	619	963	
Craighead.....	182	226	408	629	
Cross.....	119	239	349	641	
Conway.....	370	486	856	1,257	
Crawford.....	383	518	901	1,146	
Dallas.....	247	545	792	1,101	
Desha.....	139	95	234	881	
Drew.....	516	715	1,231	1,784	
Franklin.....	330	510	840	1,045	
Fulton.....	115	78	193	250	
Green.....	10	597	607	946	
Hempstead.....	1,120	1,145	2,265	2,897	
Hot Springs.....	214	474	688	929	
Independence.....	517	620	1,137	1,665	
Izard.....	145	409	554	799	
Jackson.....	238	531	769	1,284	No election held in one precinct.
Johnson.....	355	397	752	959	
Jefferson.....	3,259	438	3,697	3,839	No returns from precincts; consolidated return from county; 730 persons were allowed to vote who were registered in other counties and precincts.
Lawrence.....	114	445	559	1,013	No election held in four precincts.



*Consolidated report of election held in the State of Arkansas, &c.—Continued.*

County.	For constitution.	Against constitution.	Total vote.	Total number of registered voters.	Remarks.
Little River .....	246	126	372	789	
Lafayette .....	466	423	889	1,683	
Madison .....	342	144	486	725	
Marion .....	65	264	329	519	
Mississippi .....	94	133	227	510	
Montgomery .....	168	130	298	537	
Monroe .....	498	359	857	1,258	
Newton .....	263	52	315	456	
Onachita .....	577	1,037	1,634	2,305	
Polk .....	172	70	242	422	
Pope .....	394	404	798	1,000	
Prairie .....	358	944	1,302	1,835	
Pulaski .....	4,919	997	5,916	4,721	Vote exceeds registration by 1,195.
Phillips .....	2,157	845	3,002	4,040	
Perry .....	96	137	233	378	
Pike .....	262	150	412	592	
Poinsette .....	74	97	171	232	No election held in one precinct.
Randolph .....	114	503	617	985	
Saline .....	82	594	676	837	
Sebastian .....	454	440	894	1,374	
Scott .....	305	164	469	572	
Searcy .....	307	92	399	577	
Sevier .....	305	401	706	917	
St. Francis .....	450	265	715	1,013	
Union .....	487	820	1,307	1,846	
Van Buren .....	54	324	378	640	
Washington .....	569	1,124	1,693	2,167	In White and Prairie precincts 21 persons voted who were registered in other counties and precincts; vote viz: White, 8 for and 2 against; Prairie, 2 for and 9 against. Also, two returns from Prairie precinct give different figures.
White .....	85	1,060	1,145	1,527	
Woodruff .....	191	597	788	1,264	
Yell .....	444	295	739	1,082	
	27,913	26,597	54,510	73,784	

Majority for constitution 1,316.

HEADQUARTERS FOURTH MILITARY DISTRICT,  
(MISSISSIPPI AND ARKANSAS,)*Vicksburg, Mississippi, April 23, 1863.*

I certify that the above is a correct return of the election held in the State of Arkansas on the ratification of the constitution, as shown by the returns of the registrars.

ALVAN G. GILLEM,

*Brevet Major General U. S. A., Commanding 4th Military District.*

It will be perceived by the foregoing table that there were cast for the constitution, 27,913; against the constitution, 26,597; total, 54,510; majority for the constitution, 1,316.

Had the election been conducted in strict compliance with General Order No. 7, and the result been indicated by the above figures, the adoption of the constitution would have been indisputable; but an examination of the foregoing table of returns shows that in Pulaski county the total vote exceeds the total number registered by 1,195. This is explained by the registrars, who admit that they permitted persons registered in other counties to vote on the presentation of their certificates of registration, and without taking their names, or the counties and precincts in which they claim to be registered; nor did the officers conducting the election in this (Pulaski) county comply with par. III, General Order No. 7, from these headquarters, providing for the manner of conducting the election, by "checking off the voter's name on the

precinct book serving as the poll-book." It is therefore impossible to ascertain the number or names of the registered voters in Pulaski county who availed themselves of the right of franchise, and therefore impossible to ascertain the number in excess of 1,195 who voted in that county and who were registered in other places. It is also impossible to ascertain whether or not these persons had voted where registered.

The same irregularities occurred in Jefferson county, where 730 votes were cast by voters claiming to be registered in other counties or precincts.

Of these votes, 1,192 in Pulaski and 730 in Jefferson—making a total of 1,925—there is no means of ascertaining whether they were cast for or against the constitution.

Prior to the act of Congress passed March 11, 1868, and which was promulgated in General Order No. 14 from the War Department, dated March 14, 1868, there was no law or order in existence permitting voters registered in one county or precinct to vote in any other county or precinct. The act above referred to authorizes "any person duly registered in the State to vote in the election district where he offers to vote when he has resided therein for 10 days next preceding each election, upon his presentation of his certificate of registration, his affidavit, or other satisfactory evidence, under such regulations as the district commander may prescribe."

The order containing this law was not received until *after* the election, and the despatch from the General-in-chief containing no intimation of this provision, I was unaware of the existence of the law, and therefore prescribed no regulations for persons voting at other precincts than those in which they registered.

It appears from the report of Colonel J. E. Tourtelotte (see Appendix B, No. 1, to which special attention is invited) that the registrars in Pulaski, Jefferson, and Washington counties, learning unofficially of this law, determined, on their own responsibility, to receive the votes of persons registered in other counties.

Colonel Tourtelotte was ordered to Little Rock for the purpose of investigating the frauds alleged by those opposed to the constitution, and was informed by the parties preferring the charges that at least six weeks would elapse before they could be ready to proceed with the investigation, and that months would be required to complete them. Such delay was not deemed expedient. All the evidence bearing on the subject is transmitted herewith.

As there was no separate record kept of the 1,925 votes cast in Pulaski and Jefferson counties by persons not registered in those counties, there are no means of ascertaining whether or not they were cast for or against the constitution; and, therefore, if the reception of these votes by the registrars under a law the existence of which they had no legal notification, is held not to invalidate the election in the two counties above named, the constitution appears to have been adopted by a majority of 1,316.

Each party charges the other with frauds, those opposed to the constitution asserting that a large number of the votes cast in Pulaski, Jefferson, and Washington counties were by unauthorized persons, and in some instances that the same persons were permitted to vote several times. Those in favor of the constitution charge that force and intimidation was used to prevent legal voters from attending the polls, and that in one instance—that of Union county—armed parties were stationed on the roads for that purpose. For evidence on the subject of frauds, attention is invited to Appendix C, herewith transmitted.

In a question of such importance, and one purely civil, in which the action to be taken by the district commander is not prescribed by section five of the act of March 23, 1867, I have determined to forward the entire record for the action of the proper authority.

I am, General, very respectfully, your obedient servant,  
ALVAN C. GILLEM,

*Brevet Maj. Gen. U. S. A., Commanding 4th Military Dist.*

General U. S. GRANT,

*Commanding Armies of the United State*

## APPENDIX B.

### No. 1.

HEADQUARTERS FOURTH MILITARY DISTRICT,  
(MISSISSIPPI AND ARKANSAS,) *Vicksburg, Mississippi, February 9, 1868.*

MAJOR: I have the honor to request that I may be informed what arrangements have been made permitting registered voters to duplicate their certificates, where they have lost them. A great many instances of such a character exist in various parts of the State.

I am, very respectfully, your obedient servant,  
JOHN R. FELLOWS.

Brevet Major JOHN TYLER, U. S. A.,  
*Acting Assistant Adjutant General, 4th Military District.*

Received, 11th military district, February 15, 1868, and returned same date with following endorsement:

HEADQUARTERS FOURTH MILITARY DISTRICT,  
*Vicksburg, Miss., February 15, 1868.*

Respectfully returned to Mr. J. R. Fellows, Camden, Arkansas, with copy of circular dated October 22, 1867, from these headquarters, enclosed.

By command of Brevet General A. C. Gillem:

JOHN TYLER,  
*First Lieut. 43d Infantry, Brevet Major, U. S. A., A. A. A. G.*

[Circular letter.]

*To the President of the Board of Registration, ——— county, Miss.:*

HEADQUARTERS FOURTH MILITARY DISTRICT,  
(MISSISSIPPI AND ARKANSAS,) *Office of Civil Affairs, Holly Springs, Miss., October 22, 1867.*

SIR: I am directed by the general commanding to inform you that the loss of a certificate, by a registered voter, need not prevent his voting, but that in all such cases registrars shall, at any time previous to the election, upon being satisfied of the identity of the applicant, issue a duplicate certificate of registration. This certificate will have written across its face, in red ink, the word "duplicate," and likewise that word shall be entered opposite the name of the voter in the precinct book.

I am, very respectfully, your obedient servant,

O. D. GREENE,  
*Assistant Adjutant General.*

## No. 2.

[Telegram—3.40 p. m.]

HEADQUARTERS FOURTH MILITARY DISTRICT,  
(MISSISSIPPI AND ARKANSAS,)*Vicksburg, Mississippi, February 12, 1868.*Brevet Brig. Gen. C. H. SMITH, *Little Rock, Ark. :*

If the convention has not adjourned, cannot time of beginning election be extended until April 1st? Is it possible for you to get registrars selected and organized as boards in time to revise the list (14) fourteen days preceding the election? See section 7 of the law published in General Orders No. 17.

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

## No. 3.

[Telegram.]

LITTLE ROCK, ARK., *February 12, 1868.*Brevet Major JOHN TYLER, *A. A. A. General :*

The constitution, its schedule and election ordinance, was adopted on the 11th instant. The day fixed for the commencement of the election is the 13th day of March next. This telegram is by request of the president of the convention.

C. H. SMITH,

*Brevet Brigadier General, Commanding.*

## No. 4.

HEADQUARTERS FOURTH MILITARY DISTRICT,  
(MISSISSIPPI AND ARKANSAS,)*Vicksburg, Mississippi, February 12, 1868.*

GENERAL: I am directed by the general commanding to inform you, with reference to the prospective election in Arkansas, that he desires you to continue in the exercise of the authority exercised during the past elections, and he directs the same general course with regard thereto to be followed in the future.

The meeting of the boards, for the purpose of revising registration lists, as provided by the 7th section of the act of July 19, will be held at the respective county seats of each county under the supervision of a board consisting of three registrars. The general commanding desires you to at once make the selections of persons for appointment as registrars, and to make a report as soon as possible containing their names. Your recommendation for appointments will be carried out.

The general commanding further desires you to take such action generally as will prevent any delay in the time of holding the election beyond the time fixed by law.

The pay of registrars will be the same as formerly, \$180 per month, and the entire board will be under pay during 30 days preceding the election, including the time consumed in holding the same. The general

commanding desires that no longer time elapse prior to the election, after the adoption of the constitution by the convention and the issuance of the order, than is fixed by law.

The books deposited with the county clerks should at once be turned back to the retained registrars.

I am, general, very respectfully, your obedient servant,

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

Brevet Brigadier General C. H. SMITH,

*Commanding Sub-District of Arkansas, Little Rock, Ark.*

### No. 5.

[Telegram.]

LITTLE ROCK, ARKANSAS, *February 13, 1868.*

Brevet Major JOHN TYLER,

*Acting Assistant Adjutant General :*

The following is official from the president of the convention :

The convention declines to change the time of holding the election, which is fixed in the constitution itself.

Notice of election sent all over the State. General Smith can reach every part of the State through the delegates, who leave to-morrow.

C. H. SMITH,

*Brevet Brigadier General Commanding.*

### No. 6.

[Telegram.]

HEADQUARTERS SUB-DISTRICT OF ARKANSAS.

*Little Rock, February 13, 1868.*

Brevet Major JOHN TYLER,

*Act. Ass't Adj't. Gen., Comd'g 4th Military District :*

The following are the three first sections of the constitution providing for the State election. There are 17 sections in the schedule, all upon the same subject :

SECTION 1. On the 13th day of March, 1868, and such successive days as hereinafter provided, an election shall be held for members of the House of Representatives of the United States, governor, lieutenant governor, secretary of state, auditor, treasurer, attorney general, superintendent of public instruction, judges of the supreme court, members of the general assembly, and all county officers, and also for the submission of the constitution to the people for their adoption or rejection.

SEC. 2. Upon the days designated as aforesaid every qualified elector under the provisions of this constitution may vote for all officers to be elected under this constitution at such election, and also for or against the adoption of this constitution.

SEC. 3. In voting for or against the adoption of this constitution, the words "For constitution" or "Against constitution" shall be written or printed on the ballot of each voter. But no voter shall vote for or against this constitution on a separate ballot from that cast by him for officers to be elected at said election under this constitution.

C. H. SMITH,

*Colonel 28th Infantry, Bvt. Brig. Gen. U. S. A., Comd'g.*

## No. 7.

[Telegram—11 a. m.]

HEADQUARTERS FOURTH MILITARY DISTRICT,  
(MISSISSIPPI AND ARKANSAS.)  
*Vicksburg, Mississippi, February 13, 1868.*

Brevet Brig. Gen. C. H. SMITH, *Little Rock, Arkansas :*

Telegram of this date received. Organize at once for the election. The same plan followed in past elections will be pursued in the ensuing one. Select the registrars and put them at work. Make report containing names of persons selected as registrars and orders will be issued appointing them. Employ post commanders and other officers as you may require. Send by special messenger copy of constitution and such ordinances as relate to elections. Telegraph such extracts therefrom as may be of immediate need to the general commanding, especially the sections fixing the date of elections and providing for election of civil officers, if such latter ordinance was adopted. General order awaiting only for these. Do not hesitate to act in matters when to wait for instructions would be injurious. Telegraph as freely as in your judgment is necessary. General order will be furnished you by telegraph.

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

## No. 8.

[Telegram.]

LITTLE ROCK, ARKANSAS, *February 13, 1868.*

Brevet Major JOHN TYLER,  
*A. A. Adj. General, 4th Military District :*

Telegram of this date received. The following is the ordinance passed by the convention providing for the ratification of the constitution :

SECTION 1. Be it ordained that any voter registered under the provisions of an act of Congress entitled "An act for the more efficient government of the rebel States," passed March 2, 1867, and the supplemental acts thereto, shall be permitted to vote in any county in this State upon the ratification of the constitution framed by this convention.

SEC. 2. That, in voting for or against the ratification of said constitution, the words "for constitution" or "against constitution" shall be written or printed on each ballot, but no person shall vote at the polls provided for by this ordinance for any State or county officer prescribed in said constitution.

SEC. 3. Said election shall be held at such time and places as may be designated by the board of commissioners appointed under the provisions of the schedule to the constitution submitted by the convention to the people.

SEC. 4. The secrecy of the ballot shall be preserved inviolate. No judge, inspector, or other election officer shall mark or deface, or permit to be marked or defaced, any ballot cast at the poll at which he is acting, whereby may be ascertained the manner in which any elector voted.

C. H. SMITH,

*Colonel 28th U. S. Inf., Bvt. Brig. Gen., U. S. A., Commanding.*

## No. 9.

[Telegram.]

LITTLE ROCK, *February 14, 1868.*Brevet Major JOHN TYLER, *A. A. A. General :*

No copy of constitution ready, except copy as published in newspapers. Shall I send messenger with that?

C. H. SMITH,  
*Brevet Brigadier General, Commanding.*

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## No. 10.

[Telegram—10.40 a. m.]

HEADQUARTERS FOURTH MILITARY DISTRICT,  
(MISSISSIPPI AND ARKANSAS,) *Vicksburg, Mississippi, February 14, 1868.*

Brevet Brig. Gen. C. H. SMITH, *Little Rock, Arkansas :*

Has the convention provided for an election of State and county officers at polls separate from the polls to be opened in accordance with section four of act of March 23, 1867? The election on the ratification of the constitution must be held in precisely the same manner as that by which the members of the convention were elected, and under the same regulations. You will therefore make the necessary arrangements for opening the polls and holding said elections. Orders to this effect are issued to-day.

ALVAN C. GILLEM,  
*Brevet Major General U. S. A., Commanding.*

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## No. 11.

[Telegram.]

LITTLE ROCK, ARKANSAS, *February 14, 1868.*Brevet Major JOHN TYLER, *A. A. A. General :*

The convention has provided for an election of State and county officers at separate polls. The ratification of the constitution will be conducted in precisely the same manner as the election of delegates for the constitutional convention was.

C. H. SMITH,  
*Brevet Brigadier General Commanding.*

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## No. 12.

HEADQUARTERS SUB-DISTRICT OF ARKANSAS,  
*Little Rock, Arkansas, February 14, 1868.*

SIR: I have the honor to transmit the following report of my action, pursuant to telegraphic instructions of yesterday and this day from headquarters fourth military district, to organize boards of registrars in Arkansas for the purpose of revising the registration lists, and holding

an election to vote upon the ratification of the State constitution, together with form of letters of instructions, &c.

An army officer or an agent of the Freedmen's Bureau will be sent to each county in the State, and directed to conform to such instructions as are contained in the within form of letters. It is absolutely necessary, under the circumstances, to delegate some discretionary power to these officers, else there would be some embarrassing delay, as it will require many days—two or three weeks perhaps—for the letters of acceptance of all the appointees to reach these headquarters. The mails are very slow and unreliable.

I felt some hesitation in regard to issuing General Orders No. 4, but no better form suggested itself to me.

The order only provides for the proper organization and the revision of registration, general reference being had to General Orders No. 31, series of 1867, from headquarters fourth military district, from which two important paragraphs are quoted. None of the details of the election are entered into, as the general order from the headquarters of the district will reach the commissioners of election in time to supply those.

Appointments, with these partial instructions, have been sent this day to all the counties north of the White river, also Prairie, Desha, and Chicot, and the names of appointees forwarded to district headquarters. Appointments will be made in like manner to all the counties within the next two days. These lists of appointments will undoubtedly suffer many changes, for many of them are made without assurances, and there will be considerable delay before a corrected list can be fully obtained.

I am, sir, very respectfully, your obedient servant,

C. H. SMITH,

*Col. 28th U. S. Inf., Bvt. Brig. Gen. U. S. A., Commanding.*

Brevet Major JOHN TYLER,

*A. A. A. General, Fourth Military District.*

### No. 13.

HEADQUARTERS SUB-DISTRICT OF ARKANSAS,

*Little Rock, Arkansas, February 14, 1868.*

SIR: I am directed by the brevet brigadier general commanding to transmit herewith appointments of registrars for — counties, together with — copies of General Orders No. 4, — copies of printed oaths, which you will deliver in person to the respective parties for whom they are intended. If any of the parties decline to accept the position offered for any cause, or cannot be found in the county, you will select a suitable person as substitute, cancel the name of the party so declining, when it appears in the special order, and insert the name of the substitute in its place, and report your action in this matter to these headquarters.

All necessary expense incurred in the performance of this duty will be paid by Major J. W. Smith, paymaster United States army, to whom you will apply for the blanks on which to make your accounts.

I am, sir, very respectfully,

— — — — —,  
*First Lieut. 28th Infantry, A. A. A. G.*



## No. 14.

[General Orders No 7.]

HEADQUARTERS FOURTH MILITARY DISTRICT,  
(MISSISSIPPI AND ARKANSAS,)*Vicksburg, Mississippi, February 14, 1868.*

I. The Arkansas constitutional convention, convened at Little Rock, Arkansas, pursuant to General Orders No. 37, series of 1867, from these headquarters, having framed a constitution and civil government in compliance with the laws of the United States known as the "reconstruction acts," and having provided for the submitting of said constitution to the registered voters, at an election to be ordered by the general commanding the district, said election is, by authority of the above-stated laws, and in accordance with the provisions of the constitution, hereby ordered to be held in Arkansas, beginning the 13th day of March, 1868, and continuing until completed; at which election the registered voters may vote for or against the ratification of the constitution herein mentioned.

II. Commencing 14 days before the election, boards of registrars will, at the county seat or most accessible place, after having given reasonable public notice of the time and place thereof, revise, for a period of five days, the registration lists, and, upon being satisfied that any person not entitled thereto has been registered, will strike the name of such person from the list, and such person shall not be allowed to vote. The board will also, during the same period, add to the registry the names of all persons who at that time possess the qualifications required by law and who have not been already registered. All changes made in the lists of registered voters will be immediately reported to these headquarters.

III. In order to secure as nearly as possible a full expression of the voice of the people, the election will be held at each precinct of every county of the State of Arkansas, and, as required by law, under the supervision of the county boards of registration. The method of conducting the election in each county will be as follows: At the meeting provided in the foregoing paragraph, each board of registrars will divide the whole number of election precincts of their respective counties into three portions, as nearly equal in number as possible, and assign one of the shares thus made to each registrar, who will be responsible for the proper conduct of the election therein. Thereupon, each registrar will appoint a judge and clerk of election, who, with himself, will constitute the "commissioners of election" for all the precincts of his district. Each registrar will provide himself with a ballot-box, with lock and key, and of sufficient size to contain the votes of all the registered voters in the largest precinct. Each registrar will give full and timely notice throughout his district of the day of election in each precinct, so that he, with his judge and clerk, can proceed from precinct to precinct of his district, and hold election on consecutive days, when the distance between precincts will permit, with a view to the early completion of the voting. The election will be by ballot, and will be conducted in all details, not herein prescribed, according to the customs heretofore in use in the respective States. Each ballot will have written or printed upon it: "For Constitution," or "Against Constitution." Each voter in offering his ballot must exhibit his certificate of registry, across the face of which the clerk of election will write his name in red ink, to indicate that a vote has been cast upon that certificate, at the same time the registrar will check off the voter's name on the precinct book, serving as the poll-book. The polls will be opened by 9 o'clock a. m., at each

precinct, and will be kept continuously open until sunset, at which time the polls will be closed, the ballot-box opened, votes counted by the commissioners, and a written return thereof, under oath of the commissioners, immediately made to these headquarters in duplicate. The votes cast will then be securely enclosed and forwarded by mail to the acting assistant adjutant general at these headquarters, with a letter of transmittal setting forth the number of votes cast for, and the number against a constitution, which letter will be witnessed by the deputy sheriff present in accordance with the requirements of paragraph five of this order.

IV. Judges and clerks of election will be selected by registrars preferably from among the residents of their respective districts; but if they cannot be obtained therein, competent and qualified under the law, then from among the residents of the county; and if not attainable in the county, then the State at large; they are required to take and subscribe to the oath of office prescribed by the act of Congress, of July 2, 1862, which oath may be administered by the registrar. The oaths, properly subscribed, will be forwarded immediately for file in the office of the acting assistant adjutant general at these headquarters.

The pay of these officers will be \$6 per diem for each day they are actually employed on their legitimate duties, and their actual expenses of transportation within their district will be reimbursed.

V. The sheriff of each county is made responsible for the preservation of good order and perfect freedom of the ballot at his various election precincts in his county. To this end he will appoint a deputy, who shall be duly qualified under the laws of the State, for each precinct in the county, who will be required to be present at the place of voting during the whole time the election is being held. The said deputies will promptly and fully obey every demand made upon their official services in preserving peace and good order by the commissioner of election. Sheriffs, in making their appointments, will exercise great care to select men whom they know to be in every way able to serve. Deputies appointed in accordance with the foregoing will be paid \$5 for the day's service, on accounts approved by the registrar, out of the reconstruction fund.

VI. As an additional measure for securing the purity of the election, each registrar, judge, and clerk is hereby clothed with all the functions of a deputy sheriff, or constable, and is empowered to make arrests, and authorized to perform all duties appertaining to such officers under the laws of the State during the days of election.

VII. At every precinct on the days of election all public bar-rooms, saloons, or other places at which intoxicating or malt liquors are sold at retail, will be closed. Should any infraction of this provision come to the knowledge of the commissioners of election, or the deputy sheriff in attendance, they will immediately cause the arrest of the offending party or parties, and the closing of his or their place of business. All parties so arrested will be placed under bonds of not less than \$100 to appear for trial when required by proper authority, or in case of failure to give the required bond, will be held in arrest to await the action of the general commanding.

VIII. Should violence or fraud be perpetrated at the election in any precinct, the general commanding will exercise to the fullest extent the powers vested in him for the purpose of allowing to all registered electors an opportunity to vote freely and fearlessly.

IX. No registrar, judge, or clerk will be permitted to become a candidate for office at the election for which he serves as commissioner.

X. Such further orders as may be deemed necessary by the general commanding upon the subject of elections for State or other officers, as

may have been provided for by the convention, will, when the constitution or ordinances of the convention relating to the subject shall have been received, be issued.

By command of Brevet Major General A. C. Gillem:

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

No. 15.

[Telegram.]

HEADQUARTERS FOURTH MILITARY DISTRICT,  
(MISSISSIPPI AND ARKANSAS,)

*Vicksburg, Mississippi, February 15, 1868.*

Brevet Brigadier General C. H. SMITH, *Little Rock, Arkansas:*

Forward corrected newspaper copy of constitution by messenger. When will he start? Make full report by mail in relation to Little Rock officers.

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

No. 16.

HEADQUARTERS SUB-DISTRICT OF ARKANSAS,

*Little Rock, Arkansas, February 14, 1868.*

SIR: I have the honor to transmit herewith, by the hand of the Hon. L. B. Nash, of this city, who is going direct to Vicksburg, two copies of the Little Rock Republican, containing the constitution. It is the only form in which it is in type at this time.

Very respectfully, your obedient servant,

C. H. SMITH,

*Colonel 28th Inf., Brevet Brig. Gen'l U. S. A.*

Brevet Major JOHN TYLER,

*A. A. A. G., Fourth Military District, Vicksburg, Miss.*

No. 17.

[Telegram.]

*LITTLE ROCK, February 15, 1868.*

Brevet Major JOHN TYLER, *A. A. A. G., Fourth Military District:*

Two copies of constitution, as published in the newspaper, were sent to-day by L. B. Nash, going direct to Vicksburg. If required I can send the pamphlet form next Wednesday. The reply of ex-mayor to Mayor Wassell was forwarded by mail. It contains all the facts in the case.

C. H. SMITH,

*Brevet Brigadier General U. S. A., Commanding.*

## No. 18.

[Telegram—11.30 a. m.]

HEADQUARTERS FOURTH MILITARY DISTRICT,  
(MISSISSIPPI AND ARKANSAS,) *Vicksburg, Mississippi, February 17, 1868.*

Brevet Brig. Gen. C. H. SMITH, *Little Rock, Ark.:*

Forward package of pamphlet copies of the constitution by mail.

JOHN TYLER,  
*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

## No. 19.

HEADQUARTERS SUB-DISTRICT OF ARKANSAS,  
*Little Rock, Arkansas, February 18, 1868.*

SIR: In compliance with telegram of 15th instant, I forward this day by mail three copies of the new State constitution; also forward package of same by Brevet Colonel J. E. Tourtellotte, who goes direct to Vicksburg.

I am, sir, very respectfully, your obedient servant,

C. H. SMITH,  
*Colonel 28th Inf., Brevet Brig. Gen'l, Commanding.*

## No. 20.

[Telegram—4 p. m.]

HEADQUARTERS FOURTH MILITARY DISTRICT,  
(MISSISSIPPI AND ARKANSAS,) *Vicksburg, Mississippi, February 19, 1868.*

Brevet Brig. Gen. C. H. SMITH, *Little Rock, Ark.:*

General commanding approves action as reported by letter 14th instant. Orders appointing registrars will not issue until you report positively whether persons elected accept appointments, and the date from which appointments take effect. Reports not positive on these points need not be made.

JOHN TYLER,  
*First Lieut. 43d U. S. Inf., Bvt. Major U. S. A., A. A. A. G.*

## No. 21.

[Telegram.]

HEADQUARTERS SUB-DISTRICT OF ARKANSAS,  
*Little Rock, February 21, 1868.*

Brevet Major JOHN TYLER,  
*A. A. A. General, Fourth Military District:*

The president of the convention reports that the time for the election is so fixed and such arrangements have been made as to render it impossible to change it. If I had full instructions now I could, with the assist-

ance of the several post commanders, cause registrars to be appointed so as to commence revision on the 28th instant. The convention has not yet adjourned.

C. H. SMITH,

*Col. 28th Infantry, Brevet Brig. Gen. U. S. A., Commanding.*

No. 22.

[Telegram.]

LITTLE ROCK, ARKANSAS, *February 22, 1868.*

Brevet Major JOHN TYLER,

*A. A. A. General, Fourth Military District:*

Will registrars conform to the first section of the ordinance appended to the constitution providing that registered voters may vote in any county where they may be at the time of the election?

C. H. SMITH,

*Brevet Brigadier General, Commanding.*

No. 23.

[Telegram.]

HEADQUARTERS FOURTH MILITARY DISTRICT,

(MISSISSIPPI AND ARKANSAS,)

*Vicksburg, Mississippi, February 22, 1868.*

Brevet Brig. Gen. C. H. SMITH, *Little Rock, Arkansas:*

"For constitution" and "Against constitution," on ballots on paper; corrected copy of Order No. 7 will issue, and package sent you by special messenger; also to registrars, direct by mail. Registrars must conform to General Orders No. 7, and, as during previous election, voters must be registered in precincts in which they vote, otherwise it would not conform to law.

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

No. 24.

[Special Orders No. 32.]

HEADQUARTERS FOURTH MILITARY DISTRICT,

(MISSISSIPPI AND ARKANSAS,)

*Vicksburg, Mississippi, February 15, 1868.*

Brevet Major S. C. Greene, captain 24th United States infantry, acting assistant adjutant general sub-district of Mississippi, having reported at these headquarters in compliance with orders, will proceed, via Memphis, Tennessee, and White river, to Little Rock, Arkansas, for the purpose of conferring with Brevet Brigadier General C. H. Smith, commanding sub-district of Arkansas, upon the subject of the ensuing election on the

ratification of the constitution in that State, and of conveying to General Smith the special instructions of the General commanding with regard thereto.

By command of Brevet Major General Alvan C. Gillem:

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

No. 25.

[Telegram.]

LITTLE ROCK, ARKANSAS, *February 22, 1868.*

Major JOHN TYLER, A. A. A. General:

Everything smoothly. Orders No. 7 promptly distributed, and will reach all points in time.

S. C. GREENE,

*Brevet Major U. S. A.*

No. 26.

HEADQUARTERS FOURTH MILITARY DISTRICT,

(MISSISSIPPI AND ARKANSAS,)

*Vicksburg, Mississippi, February 24, 1868.*

GENERAL: The general commanding directs that the corrected copies of General Order No. 7, current series, from these headquarters, sent you by the bearer, Lieutenant Matile, 24th infantry, be distributed to the registrars of the State of Arkansas, and generally throughout the State. Sixty copies of this order are officialized at this office, and will suffice for a copy to be furnished to each board of registrars; the remainder can be officialized by a staff officer at your headquarters. The general commanding desires you to see that these copies are promptly distributed.

I am, general, very respectfully, your obedient servant,

NAT. WOLFE,

*Second Lieut. 34th Infantry, A. A. A. G.*

Brevet Brig. Gen. C. H. SMITH,

*Commanding Sub-district of Arkansas, Little Rock, Ark.*

No. 27.

[Telegram.]

LITTLE ROCK, ARKANSAS, *February 28, 1868.*

General GILLEM:

Your order of elections is changed here so that candidates may be registrars. The elections are separate, but the candidate depends for success on the adoption of the constitution, and he is directly interested. Is not this contrary to your wishes expressed to us?

Answer by telegraph.

L. B. NASH.  
N. M. ROSE.

## No. 28.

[Telegram—2.15 p. m.]

HEADQUARTERS FOURTH MILITARY DISTRICT,  
(MISSISSIPPI AND ARKANSAS,) *Vicksburg, Mississippi, February 28, 1868.*

L. B. NASH and N. M. ROSE, *Little Rock, Arkansas:*

The State elections are not under my control. The fact that same person is registrar and candidate I have nothing to do with.

ALVAN C. GILLEM,  
*Brevet Major General U. S. Army, Commanding.*

## No. 29.

[Telegram.]

HEADQUARTERS SUB-DISTRICT OF ARKANSAS,  
*Little Rock, Arkansas, March 5, 1868.*

Brevet Major JOHN TYLER,  
*Acting Assistant Adjutant General:*

Will the revision of registration be limited to five days, or can the books be kept open for a longer period when it is found to be necessary to give all an opportunity to register?

C. H. SMITH,  
*Brevet Brigadier General.*

## No. 30.

[Telegram—2.40 p. m.]

HEADQUARTERS FOURTH MILITARY DISTRICT,  
(MISSISSIPPI AND ARKANSAS,) *Vicksburg, Mississippi, March 5, 1868.*

Brevet Brig. Gen. C. H. SMITH, *Little Rock, Arkansas:*

The general commanding considers the law imperative and to limit revisions to "a period of five days."

JOHN TYLER,  
*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

## No. 31.

HEADQUARTERS FOURTH MILITARY DISTRICT,  
(MISSISSIPPI AND ARKANSAS,) *Vicksburg, Mississippi, March 7, 1868.*

GENERAL: The general commanding directs that the pay of registrars employed in conducting the ensuing election in Arkansas cease respectively two (2) days after the completion of the election in the last precinct, and that you cause them to be discharged at that date, except one

for each county, who will be retained for a period sufficient to enable you to carry out the following instructions with reference to the completion of the work upon which they have been engaged:

The property pertaining to the boards will be disposed of by them as you may direct, by either delivering them at your headquarters, sale by auction, or otherwise, as the public interests may be best served.

The books of registration, and all other records properly pertaining to the boards, will be delivered at your headquarters by the registrar temporarily retained in person. Upon their being brought there they will be inspected, and, if found to be correct and in a satisfactory condition, will be received; if incorrect, they will be corrected by the registrar under your supervision.

The pay of the registrar will continue until his arrival at your headquarters with the books and records, provided there has been no unnecessary delay on his part; if there has been much delay you will exercise your discretion in fixing the date at which his pay ceased.

Reasonable expenses for transportation incurred by registrars in carrying books to headquarters and returning thence to their homes will be allowed.

No final settlements should be made with registrars until it appears to your satisfaction that their duties have been fully discharged.

I am, general, very respectfully, your obedient servant,

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

Brevet Brig. Gen. C. H. SMITH,

*Commanding Sub-district of Arkansas, Little Rock, Ark.*

### No. 32.

#### HEADQUARTERS SUB-DISTRICT OF ARKANSAS,

*Little Rock, Arkansas, March 3, 1868.*

SIR: I respectfully request information upon the following points, to wit:

1st. Up to what date will retained registrars be continued at two dollars (\$2) per day, and from what date will they receive six dollars (\$6) per day?

2d. Will retained registrars, who resigned just before election, receive pay up to date of resignation? The pay of registrars who resigned just before the last election was stopped from the time the registration ceased.

3d. At what time will the appointment and pay of registrars terminate?

4th. What disposition will be made of the precinct books after the election?

With regard to the pay of registrars, I recommend that those newly appointed receive pay from the time they actually entered upon the duty of revising the registration till such time as the general may direct, and that the retained registrars be continued at two dollars (\$2) per day to same day. The date of acceptance or filing the oath is not an equitable guide.

I am, sir, very respectfully, your obedient servant,

C. H. SMITH,

*Colonel 28th Infantry, Brevet Brig. Gen. U. S. A., Commanding.*

Brevet Major JOHN TYLER,

*A. A. A. General, Fourth Military District.*



## No. 33.

HEADQUARTERS FOURTH MILITARY DISTRICT,  
(ALABAMA AND ARKANSAS,)*Vicksburg, Mississippi, March 11, 1868.*

GENERAL: In response to your communication of the 3d instant, I am directed by the general commanding to reply as follows:

1. Retained registrars will be paid at \$2 per day up to the time fixed for the beginning of pay of the other registrars appointed for the ensuing election; and that should be from the time they actually enter upon their duties, the date of taking the oath not, as formerly, being taken as the guide.

2. Retained registrars who resigned just before the elections will, in the absence of any cogent reason to the contrary, be paid up to the time of their resignation.

It is believed that a full reply to the 3d and 4th questions of your communication will be found in letter from these headquarters of the 7th instant.

I am, general, very respectfully, your obedient servant,

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

Brevet Brig. Gen. C. H. SMITH,

*Commanding Sub-district of Arkansas, Little Rock, Ark.*

## No. 34.

[Telegram.]

## HEADQUARTERS SUB-DISTRICT OF ARKANSAS,

*Little Rock, Arkansas, March 9, 1868.*

Brevet Major JOHN TYLER, A. A. A. General:

Shall I give instructions that the registration lists will be the only guide for commissioners of elections at the polls, and that any appeals from the registration lists must be made to the district commander? Very absurd ideas prevail in regard to challenging voters, and, unless the matter is well defined, will lead to irregularities.

C. H. SMITH,

*Brevet Brigadier General, Commanding.*

## No. 35.

[Telegram—2.45 p. m.]

HEADQUARTERS FOURTH MILITARY DISTRICT,  
(MISSISSIPPI AND ARKANSAS,)

*Vicksburg, Mississippi, March 9, 1868.*

Brevet Brig. Gen. C. H. SMITH, *Little Rock, Arkansas:*

Registration lists will be the sole guide for commissioners of election. Give positive orders.

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

## No. 36.

[Telegram—3.20 p. m.]

HEADQUARTERS FOURTH MILITARY DISTRICT,  
(MISSISSIPPI AND ARKANSAS,)
   
Vicksburg, Mississippi, March 10, 1868.

Brevet Brigadier General C. H. SMITH, *Little Rock, Arkansas :*

Your General Order No. 5 received. Troops must not be posted immediately over the polls, but may be held at convenient distances, to be used in case of necessity, of which the commanding officers will be the judges.

JOHN TYLER,  
*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

## APPENDIX C.

## No. 1.

VICKSBURG, MISSISSIPPI, *April 22, 1868.*

MAJOR: I have the honor to report that in obedience to Special Order No. 76, dated Headquarters fourth military district, April 10, 1868, I started from Vicksburg on the afternoon of April 10 and arrived at Little Rock April 13, and returning arrived in Vicksburg the 22d instant.

I further beg leave to report that I made investigations of alleged frauds at recent elections in Arkansas, and find the facts to be as follows:

The registrars of Pulaski county permitted (except in the precinct of Ashley, where the election was first held) all persons who presented certificates of registration showing that they had been registered at any precinct in the State, to vote. They allowed many persons to vote where certificates showed that they were registered at other precincts, and in other counties, than the county and precinct where they did vote. With very few exceptions, they did not require from persons so voting any oath whatever. They did not ask persons so offering to vote if they had resided in the county or precinct any length of time whatever. The registrars did not take the names of persons so voting, or the number of their certificates of registration, or the names of precincts where such persons were registered; so that they had, and now have, no guide or check in the matter, and said registrars of Pulaski county cannot now state who thus voted or the number of such votes, but the registrars declare that they believe the excess of votes polled over the number of registered votes in the county of Pulaski is thus explained, and they cannot otherwise explain such excess. Without any doubt, 1,400 or 1,500 persons registered elsewhere voted in Pulaski. The registrars of Jefferson county pursued the same course and allowed persons, wherever registered, to vote at any precinct where they presented themselves, taking no record of the same, and only checking such votes by marks upon the certificate of registration, which was returned to the voters.

No fraud by registrars appears to have been intended in this matter, as they allowed persons elsewhere registered to vote only after mutual consultation and consideration of act of Congress passed March 11, 1868, but their conduct was very unfortunate, as the registration law was

thus virtually impaired. Any person who presented an uncanceled certificate of registration (the registrar could not tell if the same was forged or not) was allowed to vote, and such persons cannot now be identified. I cannot state if the same rule was adopted in other counties, but in some of the counties only such persons were allowed to vote in a precinct who had been registered in the same precinct.

Persons who had lost their certificates of registration, and who stated such fact under oath, were in most instances allowed to vote on duplicates then issued; and this was done even if the person who swore to the loss of certificate also stated that he was registered (as would appear by lost certificate) in another county or precinct.

The duplicate certificate was made in accordance with terms of the sworn statement, but the registrars did not know if such sworn statements were true, and the persons who made them cannot now be identified. No less than 50, and probably a much greater number of such votes were cast in Pulaski county. It appears among the affidavits herewith forwarded, that the registrars of Pulaski and Jefferson counties did refuse to issue duplicate certificates of registration to some persons who swore they had lost them. But it must be supposed they had good reason for such refusal, as the contrary does not appear.

After the election held at each of the several precincts in Jefferson county the ballots of each of said precincts were enclosed or given or sent to John A. Williams, president of the board of registrars of said county, to be forwarded by him to the headquarters fourth military district. He neglected to forward said ballots, but carried them so enclosed to Little Rock, where he became intoxicated. The said ballots were not forwarded for several days, and not until said Williams was ordered to forward them by General Smith, commanding sub-district of Arkansas.

A consolidated return was forwarded by the registrars of Jefferson county, for which they allege excuse that they thought it "the best way."

In Spadra precinct, Johnson county, 150 registered voters swear that they individually voted against the constitution in that said precinct, while the official returns of that precinct show that only 99 votes were cast against the constitution. The only explanation of this matter is the sworn belief of two persons that the votes were changed in the ballot-box, by persons unknown, during the night between the two days of election at that precinct.

W. A. E. Tisdale, one of the registrars of Johnson county, and registered as a voter in Spadra precinct, did offer to vote a second time, which second vote was taken and deposited in the ballot-box; and soon afterwards the registrar, R. B. Chitwood, holding the election at that precinct, took out of the ballot-box and destroyed one vote "for constitution," saying as excuse that "Major Tisdale had voted twice." Major Tisdale, registrar as aforesaid, offers as his excuse that he handed his second vote in sport, and openly stated that he was offering a second vote, and that he did not know or expect that it would be put in the box.

In Pulaski county two negroes voted at Badgett precinct, and afterwards in Little Rock. One negro voted twice in Little Rock, and the number of the certificate of registration held by a white man named John Kirwin was twice voted on. All these voted for the constitution.

In Jefferson county a woman voted for constitution, presenting the certificate of registration of her husband, who was in jail.

In Jefferson county, in Vangine precinct, the revision of registration was continued until the close of the election, and no less than 12 persons were registered and voted while the election was progressing.

The above-mentioned facts, together with many other assertions which cannot affect the result of the election, are stated on oath. The registrars are charged with refusing registration to officers of the militia, justices of the peace, and to persons disfranchised by laws of other States. They are also charged with allowing minors (registered) to vote. These are charges against the registrars as such, and not as commissioners of election.

The remainder of the affidavits received contain matters of hearsay and secondary evidence, which if untrue could not be used as foundation for a charge of perjury, and which, true or untrue, cannot as they are be taken to change the result of election. Besides, these affidavits must be suspected when in some cases the original and direct testimony might have been produced. There is in Arkansas much interest in the election, and wagers to considerable amount are pending the announcement of the result. It is understood that returns show the constitution adopted, and the opponents thereof are very anxious to defeat it.

To this end they premise that the constitution was adopted through fraud, and are now searching throughout the State for proof. Evidence thus and for such purpose obtained must certainly be suspected. It would have appeared much better if they had asserted fraud upon proof first obtained. Many respectable persons charge fraud and promise the proof, but admit they do not now know the facts which will be proven, and base their statements upon the fact that most of the commissioners of election were interested for the constitution, and many of them personally interested. The registrars generally confessed much interest in the election, stating that the constitution would be ratified, and even declaring it must be ratified. This caused these acts, however innocent, to be suspected.

On the revision of registration, quite a number of persons were stricken off the books. Of this they had no notice, and on election presented their votes, which were rejected, in many instances without any explanation. As such persons generally desired to vote against the constitution, this rejection of their votes gave them reason for believing that votes against the constitution were unjustly rejected, and the whole election fraudulent.

On such facts are based the charges of fraud. Many complaints were made which cannot be considered as charges of illegality of election, &c., and the complaint most of all urged is that books and returns were in the hands of interested parties, and the opponents of the constitution had no means of knowing at the election who were proper voters, and have no means of knowing the condition of the returns. This is a charge against the law, and not of fraud against the election.

Some confusion arose from the fact of two elections, at the same time and place, and some persons doubtless think that others voted twice, when in fact they only voted at both polls.

In so extensive an election, and in one where so much interest existed, cheating is not uncommon, and I do not believe any election for ratification of the constitution can be held in Arkansas where similar charges will not by some party be made, and probably with some foundation.

The party voting for constitution make assertions of fraud against the opposing, but decline to offer proof thereof, as they do not wish in any way to change the result of the election.

No attempt at proof of fraud is made except in Spadra and Piny precincts, Johnson county; Vangin precinct, Jefferson county; Ashley, Padgett, and Big Rock, and one other precinct, name not given, in Washington county. However fraudulent the election may have been

in the precincts named, the result in other counties and other precincts cannot be affected thereby. The facts showing fraud in said named precincts has been stated.

Of the charges of fraud by registrars, it seems rather that the registrars themselves were imposed upon, and were not the instigators of fraud. It is true many of the registrars were candidates for office, but in the absence of opposing facts their acts must be considered honest.

Registrars were candidates for office by virtue of permission of General Smith, commanding sub-district of Arkansas, copy of which permission is herewith respectfully transmitted.

I further beg leave to state that I do not think the persons who have charged fraud in this said election have confidence in being able to prove it to the extent charged, and I believe said persons manifest an inclination to trifle with the military authorities.

All the proof of fraud which could be accumulated during the four days of my stay in Little Rock was received, and I was distinctly notified by Colonel Perry, Judge Watkins, and others that at least six weeks would be required to collect from different parts of the State the proof of facts they hoped to show, and in less time than that stated they could only hope to show some individual cases of persons voting twice.

I have the honor to transmit all of the papers received in the matter of the Arkansas election, and on which the foregoing report is founded.

I have the honor to be, major, very respectfully, your obedient servant,

J. E. TOURTELOTTE,

*Capt. 28th Inf., Br't Col. U. S. A., A. A. Inspector Gen.*

Major JOHN TYLER, A. A. A. G.,

*Fourth Military District, Vicksburg, Mississippi.*

## No. 2.

[Telegram—11.30 a. m.]

HEADQUARTERS FOURTH MILITARY DISTRICT,

(MISSISSIPPI AND ARKANSAS,)

*Vicksburg, Mississippi, April 7, 1868.*

Brevet Brig. Gen. C. H. SMITH, *Little Rock, Arkansas:*

Report why election in Pulaski county was not conducted in accordance with orders, instead of being continued seventeen (17) days. Pay of commissioners of election in this county, and all their accounts, will be stopped until further orders. Answer briefly by telegraph, and fully by mail.

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

## No. 3.

[Telegram.]

LITTLE ROCK, ARKANSAS, *April 8, 1868.*

Brevet Major JOHN TYLER, A. A. A. General:

The election in Pulaski county was held at places and times exactly corresponding with the election for delegates for the convention, with

the exception that it was continued one day longer at Little Rock, and was postponed at Eagle township on account of high water, which prevented the commissioners from getting there at the appointed time, and was held in that township after the other appointments had been filled—making the entire extension of time over that occupied by the previous election of four days. A full report will be forwarded by mail.

C. H. SMITH,  
*Brevet Brigadier General, Commanding.*

No. 4.

[Telegram.]

LITTLE ROCK, ARKANSAS, *April 15, 1868.*

Major JOHN TYLER, *A. A. A. General:*

Commissioners of election allowed persons elsewhere registered to vote in Pulaski and Jefferson counties. Registrars thus explain large vote in Pulaski. Registrars of Jefferson county gave ballots for transmittal to Registrar John A. Williams, who delayed; drunkenness the alleged cause. Ignorance is excuse given for consolidated return. Some illegal votes will probably be proven. I cannot now state number. Shall bring report on Saturday, or send by messenger, as I may be ordered.

J. E. TOURTELOTTE,  
*Brevet Col. U. S. A., Acting Assistant Inspector General.*

No. 5.

[Telegram.]

LITTLE ROCK, ARKANSAS, *April 17, 1868.*

Major JOHN TYLER, *A. A. A. General:*

One hundred and fifty persons swear they voted against constitution in Spadra precinct, Johnson county. A few fraudulent votes shown in Washington and Pulaski.

J. E. TOURTELOTTE,  
*Acting Assistant Inspector General.*

No. 6.

[Telegram—11 a. m.]

HEADQUARTERS FOURTH MILITARY DISTRICT,  
(MISSISSIPPI AND ARKANSAS,) *Vicksburg, Mississippi, April 17, 1868.*

Brevet Colonel J. E. TOURTELOTTE,  
*Acting Assistant Inspector General:*

Bring the precinct books of Pulaski and Jefferson counties with you. Have them so prepared as to show who of the registered electors voted.

JOHN TYLER,  
*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

## No. 7.

LITTLE ROCK, ARKANSAS, *April 18, 1868.*

General GILLEM: Colonel Tourtelotte came here on Monday night; on Tuesday I saw him. We had no intimation of his coming. If we had, could have collected much further evidence of fraud; had only little over three days to work in. I don't remember what I charged in my letters to you, but we have shown fraud on the part of registrars in Johnson, Washington, Pulaski and Jefferson counties, and could show it in every county in the State if we had time. Pulaski county returns a large excess over her registered vote. Making the usual deductions from the registered and the actual vote, the excess in Pulaski would nearly produce the amount claimed as majority for the constitution. You will see the *animus* of the election from the affidavits taken. With all the registrars depending on procuring places, on the success of the constitution, it is not surprising that poor, frail humanity shows weakness as usual. I think I have shown facts to establish, as far as the facts go, all charges made in my letter. The extent perhaps is not as great as my letter promised, but the extent is circumscribed by the short time allowed. Colonel Tourtelotte has been patient, courteous and kind, and we are only sorry that his duties call him away so soon. Our town is full of registrars; nearly the entire legislature is composed of them. Men who are political adventurers, charmed with the allurements of office and flattered by the hope of greatness never dreamed of till now, having committed frauds, justify it by falsehood, and are willing to clinch it by perjury. There are those with whom Colonel Tourtelotte has had to deal on the other side. I can't tell what you may think or what you may do. You may think that a prompt decision is of more importance than a patient investigation. We are dealing with a greater amount of scoundrelism than was ever before concentrated at one place in the same age. We may be given over to ruin, but can only hope that you will give us time to show these wrongs. Colonel Tourtelotte can tell you the disadvantages we labor under in the way of intercommunication.

Very truly,

FRANCIS A. TERRY.

## No. 8.

LITTLE ROCK, ARKANSAS, *April 17, 1868.*

GENERAL: The question of ratification of the constitution framed by the late convention in this State has been voted upon, and the result duly reported to you.

The frauds committed upon the ballot-box in many of the counties of this State are shameless and enormous, and have no parallel in all history. They stand by themselves. I am persuaded there has been no expression of the will of the registered voters in this State. Permit me to name a few among many counties: Pulaski, Jefferson, Johnson and Washington. In the two former thousands of votes were cast more than the whole number of registered, among the negroes. Women and children were allowed to vote. They voted early and they voted often, travelling from ballot-box to ballot-box. Ballot-boxes were stuffed; from others votes were abstracted. Votes offered by duly registered voters were torn up and thrown under the table. Others were more peremptorily refused without any assigned reason.

All these allegations have been duly and conclusively proven by competent and reliable testimony. Does the act of Congress furnish no remedy?

I believe the people of this State are ready to accept of congressional reconstruction; that the opposition to the constitution offered them pertains to matters foreign to reconstruction, and not necessarily involved in it. To sanction the shameless frauds committed in this election, and to say that the constitution has been ratified, will bring no peace to the people of the State. The indefinite continuance of military authority was preferable. Were Congress to frame a constitution for this State, in the spirit of the reconstruction acts, and offer it to them, I believe the people would readily accept it.

I think I have given expression to sentiments entertained by a large majority of the Union people of this State—not counting those who are candidates for office.

I trust such steps may be taken as may be necessary to correct the frauds on the elective franchise, and that the will of the registered voters of this State may be ascertained according to the letter and spirit of the acts of Congress upon reconstruction.

I have the honor, general, to be your obedient servant,  
J. M. TEBBETTS.

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No. 9.

[Telegram.]

LITTLE ROCK, ARKANSAS, *April 19, 1868.*

Brevet Major General ALVAN C. GILLEM,  
*Commanding Fourth Military District, Vicksburg, Miss.:*

Evidence of frauds by registrars in all parts of the State continue to accumulate. Will forward by mail. Colonel Tourtelotte left yesterday morning.

FRANCIS A. TERRY.

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No. 10.

[Telegram.]

LITTLE ROCK, ARKANSAS, *April 21, 1868.*

General GILLEM:

Frauds accumulate. Will send by express to-morrow.

FRANCIS A. TERRY.

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No. 11.

We, the undersigned, commissioners of election for Johnson, La Pile, Jackson, and Cornie townships, Union county, Arkansas, do state upon our honor that at an election this day held in La Pile township, in the above State and county, for and against constitution, under General Orders No. 7, dated headquarters fourth military district Mississippi and Arkansas, Vicksburg, Mississippi, February 14, 1868, fraud and intimidation were



practiced upon the rights of freedmen, deterring them from voting to the extent that out of twenty-five registered voters in the township only three voted, and they evidently against their sentiments; and we verily believe that could a fair and full investigation be had that it would be shown that bullying, and threats of being thrown out of employment by white employers, and with threats of personal violence, and did intimidate the freedmen of La Pile township from exercising the rights of suffrage to the above extent. And further, that we do believe, upon our sacred honor, that a general conspiracy has been entered into by what is known as the white man's party of this precinct to prevent freedmen from voting at all hazards; therefore we hereby enter our solemn protest against the vote of La Pile precinct being counted in the general result of the aforesaid election in this State so far as the adoption or rejection of the constitution is concerned. The above applies with equal force to Johnson township election, held March 13, 1868.

W. A. COIT, *Registrar.*  
H. A. MILLER, *Clerk.*

LA PILE T<sup>p</sup>, UNION CO., ARK., *March 14, 1868.*

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No. 12.

We, the undersigned, commissioners of election for Johnson, La Pile, Jackson, and Cornie townships, Union county, Arkansas, do state, upon our honor, that at an election this day held in Cornie township, in the above State and county, for and against constitution, under General Orders No. 7, dated headquarters fourth military district, Vicksburg, Mississippi, February 14, 1868, fraud and intimidation were practiced upon the right of freedmen, deterring them from voting to the extent that out of 65 registered voters, colored, in this township, only 11 voted, and they evidently against their sentiments; and we verily believe that could a fair and full investigation be had, that it would be shown that bullying and threats of being shot, and if sick physicians would not wait on them, and of being discharged from employment, were freely used, and did intimidate the freedmen of Cornie township from exercising their right of suffrage to the above extent. And further that we do believe, upon our honor, that a general conspiracy has been entered into by what is known as the "white man's party" of the precinct to prevent freedmen from voting at all hazards. Therefore, we hereby enter our solemn protest against the vote of the Cornie precinct being counted in the general result of the aforesaid election in this State, so far as the adoption or the rejection of the constitution is concerned.

WM. A. COIT, *Registrar.*  
H. A. MILLER, *Clerk.*

CORNIE PRECINCT, UNION COUNTY, ARK., *March 18, 1868.*

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No. 13.

SMITH TOWNSHIP, BRADLEY COUNTY,  
*Arkansas, March 14, 1868.*

DEAR SIR: Having been, as we conceive, defrauded out of our rights to vote against the constitution, lately adopted by the convention of this State, as good loyal citizens we deem it our duty, in accordance with your

request, to report to you all irregularities; that we were excluded from voting alone on the ground that we had not registered in this election precinct or this county, notwithstanding said constitution most clearly allows us to vote anywhere in the State; see page 25 of said constitution.

D. W. WARDLAW.

G. W. ENGLAND.

JAMES McGETTIE.

R. D. MASON.

E. W. PICKET.

T. W. HALL.

GEORGE B. KIBLU.

Also, the undersigned were refused their vote alone on the ground that we had lost our registering certificate, notwithstanding we offered to prove by undoubted witnesses our registration, and notwithstanding the judges are clearly authorized by said constitution to allow any one to vote that can satisfy them of their registration, &c.

P. W. DEADRYH.

C. L. ROGERS.

JOHN VARNELL.

General GILLEM.

P. S.—Copy also sent to the President of the United States.

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#### No. 14.

JONESBORO', ARKANSAS, *March 26, 1868.*

DEAR SIR: I have the honor to report as follows: During the late election at this precinct three soldiers were left to guard the polls, and if necessary preserve order, who, together with the sheriff, William W. Nisbett, hoisted a flag at the court-house on the morning of the first day of the election; and soon after a flag, composed of calico, was hoisted by a woman, which was taken down and deposited in my office.

On the second morning of election the soldiers again hoisted the national flag, and immediately thereupon the same woman hoisted a flag close by, which was composed of soiled domestic and bore upon its surface some inscription, the picture of a negro, &c. These flags were evidently intended as an insult to the American flag. In the formation of the first flag some attempt had been made to imitate the lost confederate flag.

I have never in my life seen a people more quiet than the loyal men of this county. Each one seems to be intent on doing his duty on his farm, and in walking uprightly when he may visit our town. The freedmen especially deserve praise for their prompt action in coming forward and discharging their duty at the elections of November and March. I regret to say that from the best information I can obtain from Sheriff Nisbett and other reliable persons of sober habits, some of the leading men of that faction, which are opposed to reconstruction, are riding through this county, exciting and assuring the weakminded that there will very soon be another war. They are also obtaining, so far as possible, the names of all persons who voted for the ratification at the late election, asserting that their lives shall pay the forfeit. Now, is it possible for myself and others to discharge the duties of officers while we are surrounded by this disloyal element, whose threats are calculated to intimi-

date the bravest of the brave? Even my children are grossly insulted and beaten by larger ones while on their way from school. The main agitators do not exceed 10 or 12 men.

I am, sir, very respectfully,

JAMES CARSON.

Brevet Major JOHN TYLER,

*Acting Assistant Adjutant General, Vicksburg, Miss.*

No. 15.

LEWISVILLE, ARKANSAS, *March 15, 1868.*

MAJOR: I forwarded to you yesterday, the 14th instant, the result of the election for and against the constitution in this precinct. The total vote polled at Lewisville precinct was only 182; 81 against, 101 for; whereas there are 316 registered voters in it. High water was one cause, the removal of voters from the precinct another, and there are others not certainly known, probably restraint. I have the honor to report, also, that upon the urgent solicitation of the commissioners of the civil polls, the judge and clerk of the military polls and the agent of the bureau, I took upon myself the responsibility to postpone the election on the 13th instant at the Cut-off precinct until Saturday, the 21st, in consequence of the present overflow of the Red river and the different bayous, thus preventing a great many voters from getting to the polls. I remained at the polls all day. The postponement had my entire approbation, but I seriously doubted whether I had the power to do so; I however concluded to risk the consequences and postponed. I hope it will meet with the approbation of the general commanding. I wish I could be instructed what to do in case the river continues as high as it is.

I am, very respectfully, your obedient servant,

E. O. CHAPMAN,

*Registrar Lafayette County, Arkansas.*

Brevet Major JOHN TYLER, *1st Lieut. 43d Infantry, A. A. A. G.,*  
Through S. M. MILLS, *A. A. A. G. Sub-district Arkansas.*

No. 16.

BUREN TOWNSHIP, ATLANTA PRECINCT, COLUMBIA Co.,  
*Arkansas, March 13, 1868.*

SIR: At the election held at Atlanta precinct, Columbia county, Arkansas, this day, there were 65 votes against constitution, three votes for constitution. The undersigned cannot let this opportunity pass without calling attention briefly to the improper appliances used to prevent a fair expression of the will of the legal voters:

1. Colored voters were set upon by a self-appointed vigilance committee and ordered to be one mile from there in five minutes and driven from the polls.

2. Diligent inquiry was made for the deputy sheriff, Mr. H. D. Phillips, but he could not be found or heard from up to half-past 10 o'clock, when, upon the arrival of a detachment of United States troops, under command of Lieutenant G. H. Raditski, 28th infantry, we opened the polls without having seen him, and indeed we did not see him only three times during the day, and then only for a few minutes at a time.

3. As soon as the polls were opened a man by the name of Thomas C. Tatum stood immediately by with book and pencil, demanded to see every ticket and to know how every man voted, and recorded the names of every vote and the kind of tickets voted during the day. About half-past 12 a violent speech was made by W. F. Wallace, a disfranchised rebel, and one Parson Fuller, (disfranchised,) in which the most violent denunciations of the United States were freely used; who we heard call upon his hearers to resist, using the most violent and bitter invective, which caused the crowd present to become very much excited, indeed, to an alarming extent, so that violence was feared. This man Fuller would have been arrested, as a violator of public peace, if it had been possible to have done so in the excited state of those present.

4. Colored voters were made drunk, and bullied into voting directly contrary to their wishes, as they afterwards privately informed us. One of them informed us that he had been threatened with death in case he did not vote as he did; at the same time he asserted that he had been compelled to vote directly contrary to his wishes. Drunkenness prevailed to quite a general extent, produced by liquor from an illicit still two or three miles from here.

5. Deadly weapons, both guns and pistols, were very generally carried by the greater portion, if not by all, of the crowd present, thus making it impossible for the undersigned to prevent the irregularities above referred to; it being impossible to have made an arrest with the force at our command, when there were 50 or 60 armed men present, drunk and disorderly, determined, and sworn, even, to resist it.

Finally, the very meagre vote cast—sixty-eight (68) out of one hundred and fifty-seven registered voters—is *prima facie* evidence of the want of a fair expression of opinion of the legal voters of the precinct. This conclusion comes with greater force when we consider that there was no freedom of choice, but that the election was degraded into a mere registry of the decrees of a drunken and disorderly mob. Hence we feel compelled to make this report.

Very respectfully submitted:

D. REEVE, *Registrar*,  
T. B. POWELL, *Judge*,  
THOS. H. CLEMENS, *Clerk*,  
*Commissioners of Election.*

ASSISTANT ADJUTANT GENERAL.

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No. 17.

COLUMBIA, CHICOT COUNTY, ARKANSAS,  
March 17, 1868.

SIR: In pursuance of orders from headquarters fourth military district, dated the 10th instant, I left Vicksburg on the morning of that day, and proceeded with a detachment of men to Chicot county, Arkansas, arriving at Columbia on the morning of the 13th instant, and found that the polls had been opened at three precincts within the county, and the election progressing at each with perfect propriety and good order. The statement in the communication of Mr. Walker, referred to me, "that he could not procure white men in the country to act as judges and clerks of election, and would be compelled to appoint intelligent colored men," is incorrect so far as the election on the constitution is concerned. The election which they were appointed to conduct is entirely distinct from the constitutional election. Two polls were opened

at each precinct at the same time: one for the ratification or rejection of the constitution, called the military poll; the other for the election of the State and county officers prescribed by the constitution, called the civil poll: the latter being held on the theory that if the constitution is rejected it will do no harm, and if ratified it will save the time and expense of another election, and provide a State organization to go into immediate operation.

The military poll at each precinct was conducted by one of the registrars and a judge and a clerk of his own appointment, all of whom were white men.

The officers of the civil poll were appointed on the nomination of the representative of their district by a committee of the constitutional convention, who yet remain in session at Little Rock to supervise and conduct the State election.

The franchise oath under the proposed constitution is so peculiar in some of its features that comparatively few white men will qualify under it, and it was necessary to appoint colored men on the civil poll, as there are not probably six white men in the county who will take the prescribed oath.

The distinction between the polls, however, was thoroughly understood by all the whites, and, while there were not ten votes cast in the county at the civil poll by them, every one of them voted at the military poll.

There was not the slightest trouble or objection to the military poll proposed by the whites, and, indeed, it was well understood by them that it was their interest to protect it, and secure a full white vote, but the tacking on of the civil to the military poll was a stroke of political policy that gave great offence, and had troops not been sent here there would have been trouble, not because of colored persons presiding, but because all the whites considered themselves disfranchised.

Application was made by the officers of the State election to send a couple of men to each precinct, which I declined to do, but permitted them to send couriers there with information that troops were in the county to prevent violence at the polls.

I visited all the precincts where trouble was anticipated, but took no escort and stayed but a few minutes at each poll. The knowledge that troops were in the county, and that the conduct of citizens was under surveillance, was as efficacious in preserving order as to establish a guard at each precinct.

Not a man of my command has been within half a mile of the ballot-box, and information has been received from every precinct, and the election has passed with perfect order throughout the country.

The election does not close at Lake Village until to-morrow, but as nine-tenths of the vote is polled, the sheriff with the men stationed there can prevent disturbance, of which there is not the slightest probability, however.

With that exception the entire vote of the country is polled, and the manner in which the election was conducted at the military polls has given entire satisfaction to all parties.

I have the honor to remain, sir, very respectfully, your obedient servant,

MERRITT BARBER,

*First Lieut. 34th U. S. Infantry, A. A. A. General.*

MARCH 18, 1868.

Since closing the foregoing report, information has been received that the poll closed to-day at Lake Village, and everything passed off satisfactory on the last day of the election at that place.

MERRITT BARBER,

*First Lieut. 34th U. S. Infantry, A. A. A. General.*

Brevet Major JOHN TYLER,

*43d Infantry, A. A. A. G., Fourth Military District.*


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 No. 18.

LAKE VILLAGE, CHICOT COUNTY, ARKANSAS.

March 7, 1868.

DEAR SIR: Will you please forward the following to headquarters fourth military district, for the action of the general commanding?

Respectfully,

F. P. WALKER.

Mr. A. G. CUNNINGHAM,

*Agent Bureau F., R., and A. L., for Chicot County, Ark.*


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 LAKE VILLAGE, CHICOT COUNTY, ARKANSAS,

March 7, 1868.

LIEUTENANT: I would most respectfully ask that a detachment of United States infantry, 25 or 30 men in number, be sent to this county, to remain during the coming election, for the following reasons, viz:

I cannot procure white men sufficient in this county to act as judges and clerks of election, and will have to appoint intelligent colored men to act as such; this will undoubtedly cause dissatisfaction, and, I think, violence. The mere presence of a small number of troops would prevent this.

In the lower end of this county, near the Louisiana State line, I anticipate trouble unless troops are sent, as there are some bad men living in that part of this county.

I would most respectfully ask that 15 men be sent to Grand Lake, and 10 men to Lake Village, which would be sufficient to preserve order during the election, from March 13 to March 17.

Very respectfully, your obedient servant,

F. P. WALKER,

*Sheriff and President of Board of Registrars.*

JOHN TYLER,

*A. A. A. Gen., Fourth Military District, Vicksburg, Miss.*


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 No. 19.

EL DORADO, UNION COUNTY, ARKANSAS,

March 20, 1868.

We, the undersigned, registrars for Union county, State of Arkansas, do state upon our honor that at an election commencing March 13, 1868.

and held in Franklin, Van Buren, La Pile, Pigeon Hill, and Cornie precincts, in said county and State, for or against the constitution, under General Orders No. 7, dated headquarters fourth military district, Mississippi and Arkansas, Vicksburg, Mississippi, February 14, 1868, fraud and intimidation were practiced upon the rights of freedmen, deterring them from voting to the following extent, to wit:

In Van Buren precinct, out of 85 registered colored voters only 23 voted, and many of these in the face of threats that they would be discharged and burnt out of house and home if they voted for the constitution; and we have good reason to believe that it was such threats, coupled with significant hints and open threats of personal violence, that deterred such a large proportion of the above registered voters from voting. In La Pile precinct, out of the 24 registered voters but six voted, owing to open and undisguised threats made against freedmen within a very short distance from the polls. In Franklin precinct, out of 79 registered colored voters but 31 voted; the loss we believe to be attributable to the above specified causes. In Cornie precinct, out of 65 registered colored voters but 15 voted; bribery, threats and intimidations were practiced to an extent seldom equalled in a civilized community. What was known as "black lists" by men near the polls, and voters freely told that if they voted for the constitution they would be spotted men in the community—socially ostracised in case the offending parties were white, and if black no physician would attend him if sick, and no further rations of meat and corn would be issued.

W. A. COIT.  
R. HATTUSON,  
M. A. LAPOINT,

*Board of Registrars for Union County, Arkansas.*

SAMUEL M. MILLS,

*Lieutenant and A. A. A. G., Little Rock, Ark.*

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## No. 20.

FULTON COUNTY, ARKANSAS;  
*March 22, 1868.*

We, the undersigned, citizens of Fulton county, Arkansas, (the number could have been extended to 100 if thought necessary,) desire in the following statement of facts respectfully to solicit your attention to some of the gross frauds and wrongs perpetrated on our citizens by the registrars of this county.

There are from 600 to 700 men in this county who would be entitled to vote under the old law; not more than 50 to 75 are disfranchised as ex-officers. Now a glance at the vote given—78 against and 115 for the constitution, and that, too, when every man or nearly so in the county was anxious to vote—shows evidently that there was wrong done; for, with a fair and legal vote, the county would have polled at least 200 against the constitution. In the first place, the registrars would not permit any man to register who had ever held any office, even down to road overseer.

2. They erased and disfranchised scores of men who had not even an intimation of the fact until they went to the polls to vote. And when they would ask the reason why their names were erased, not to one in 25 would they give any reason, and there were no reasons entered on the books for one in 50.

3. When pressed to give reasons for which their wholesale erasures were made of men who had registered, they said Congress was the government, and to speak against Congress or the acts of Congress was disloyal, and they had a right to erase any man who uttered disloyal sentiments, or even suspected of uttering them.

4. They erased and disfranchised every man who voted "no constitution" last November.

5. They erased old men who staid at home during the war, and took no part in it, whom the officers refused the amnesty oath on the ground that they had done nothing, and were not required to take it, and there was no necessity for their doing so, because they *did not* take the amnesty oath.

6. They refused and would not let men register who had been citizens of this county three, four, five and six years, because they came from Missouri.

7. They let others register and vote who had not been citizens more than four months (so we are informed and believe) because they would vote with them.

8. They and the party coerced timid men to vote for the constitution by telling them that they would be forever disfranchised, their property confiscated, and themselves banished or killed if they voted against it.

9. The advertisements sent out by the department last fall giving notice of the five days to revise the registry list were not put up, but instead a small one, stating they would meet at a certain place and time for five days to revise the registry list. Not a man in the county was notified to attend or his name would be erased, and none knew their names were erased until they presented their certificates at the polls to vote. There are other evils of which we might justly complain, and while we have faith to believe you would give us a patient hearing, we do not wish to trespass on your time or weary your patience with further details of the usurpation of power in the county.

Respectfully, &c.,

J. H. HARKLESODS,

J. B. ROBUTS,

J. M. DOUGHTY,

and 70 others.

Brevet Major General ALVAN C. GILLEM,

*Commanding Fourth Military District.*

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No. 21.

UNION, FULTON COUNTY, ARKANSAS,

*March 23, 1868.*

As one of the deputy sheriffs appointed in compliance with order No. 7, paragraph 5, I attended the election at North Fork, Bennett's bayou and Benton precincts, in this county. The aggregate vote, 71. For constitution, 32; against constitution, 39; to which I certified in letter of transmittal to your headquarters. That the registrars of the county erased and proscribed many loyal registered voters for the purpose to be certain to secure a majority in the county for the constitution I do most surely believe. The statement of facts sent you by many citizens of the county contain several of the reasons I have for believing so. There are grave charges, all of which I believe can be proved. The election went off peaceably and quietly, though it required great effort on the part of



many to restrain an outburst of indignation against the registrars for the palpable and great wrong done them in disfranchising them. Our people are quietly bearing their wrongs, believing you will, as far as in your power, see that justice is done them.

Respectfully,

S. W. COCHERAN.

Brevet Major General GILLEM,  
*Commanding Fourth Military District.*

No. 22.

CLARKSVILLE, ARKANSAS, *March 24, 1868.*

SIR: I have the honor to make the following report relative to the election in this county:

Everything passed off quietly, with no disturbances whatever; but the voting in many precincts was such that it leads us to the belief that voters have been intimidated, and not come up to the polls. I know of men who were afraid to come to the polls in their own precinct, but waited and came into town and voted. In Mulbury precinct, some eight voters who favor the constitution did not come to the polls; also some in Perry, and about 25 in Horsehead precinct. The ex-rebels are making a fuss about the election in the Spadra precinct, and claim they have 160 affidavits from persons who voted "against," while Mr. Chitwood, who held the election, reports 99 against and 119 for constitution. Of the correctness of Mr. Chitwood's report or of their affidavits, I know nothing, as Mr. Shingly and myself had nothing to do with the election there. Mr. Shingly saw the box opened and votes checked off, and can testify there was no fraud in counting votes. In the precinct where I held election, every vote was against constitution; consequently the rebel portion of the community are satisfied of its validity.

Very respectfully, your obedient servant,

W. A. E. TISDALE.

*Register for Johnson County, Arkansas.*

Lieut. SAM. M. MILLS,

*A. A. A. General, Sub-District, Arkansas.*

No. 23.

[Telegram.]

LITTLE ROCK, ARKANSAS, *March 28, 1868.*

GENERAL: Constitution beaten largely in a fair count. Will you permit us to show fraud? Answer by telegraph.

FRANCIS A. TERRY.

General A. C. GILLEM,

## No. 24.

[Telegram.]

HEADQUARTERS FOURTH MILITARY DISTRICT,  
(MISSISSIPPI AND ARKANSAS.)*Vicksburg, Mississippi, March 28, 1868—10.15 a. m.*

SIR: Partial returns from but few counties received. Charges of fraud by either party will receive an impartial investigation.

ALVAN C. GILLEM,

*Breret Major General U. S. A., Commanding.*FRANCIS A. TERRY, Esq.,  
*Little Rock, Arkansas.*

## No. 25.

LITTLE ROCK, ARKANSAS, *March 30, 1868.*

GENERAL: I received your despatch on Saturday, and I thank you. I now write at the request of friends, and in behalf of the citizens of the State.

The constitution will be reported to you as having been carried. The registrars were candidates for office, depending on its success for theirs, and, no doubt, will so report it. This county, on its first registration, showed some 3,900 voters; it now votes over 6,000. Jefferson voted the same. Phillips, where they have perhaps the largest colored registration in the State, only showed a majority of 1,300 votes for the constitution; but Pulaski and Jefferson, which have been voting since the 13th instant, quadruple Phillips in their majorities. In Washington county at one precinct alone 300 votes given against the constitution are suppressed. In Johnson county, as will be seen in the Gazette of the 28th instant, (paper sent you,) glaring frauds were committed, and so all over the State. You will be told of "rebel violence." I am boarding at the same house with several United States officers who were sent by General Smith to maintain quiet; they all unite in saying the election was orderly and quiet. If there was violence let it be shown, no matter on whom it may fall; and if fraud, let that also be exposed.

I have been requested, in view of the poverty of our people, the expense of witnesses to Vicksburg, and the vital interests involved, to ask you to come to Little Rock to investigate the facts connected with the election. General Meade visited Montgomery and other places investigating questions connected with the election in Alabama. If you were here, there is none of the army officers who would not tell you that the most shameless and palpable frauds were committed all over the State. The friends of the constitution resorted to dressing negro women in men's clothes and voting them at the election, besides moving them around from precinct to precinct in battalions, and voting them over and over again; but you will be told that they were refugees from other counties, who were prevented from voting at home. We can show this false, for our people knew the voters and where they lived. The candidate for sheriff, (Oliver,) a registrar, had hundreds of blank certificates of election, which were served out to each delegation as it arrived.

Will you be kind enough to allow time to act, and indicate the quality of proof you will require, or come to this place if possible?

Yours truly,

FRANCIS A. TERRY.

General GILLEM.

No. 26.

LITTLE ROCK, *April 1, 1868.*

General GILLEM:

I wrote you a few days since, and I write again. My apology is the importance of the interests involved.

The election in this (Pulaski) county was concluded yesterday, and the registrars return, I believe, for constitution, 4,937; against constitution 985—total, 5,922 votes. The registered vote of this county you doubtless have received; it was about 3,800 or 3,900. They now claim to have received 1,000 votes more for the constitution than were here on the first registration. The leaders have telegraphed to Washington that the constitution is carried by 1,649 majority. This is a most stupendous fraud. If you will examine the white counties you will perceive that the registered strength of all of them is more than the vote. The vote always falls below largely the number of voters, but in these, Jefferson and Arkansas counties, it doubles—something that never occurred, and can't occur without stuffing ballot-boxes or voting many times. Will you indicate the character of proof that you will require? We can show stupendous frauds. Give us time, or come to Little Rock and we will do it.

Yours,

F. A. TERRY.

No. 27.

DOVER, POPE COUNTY, ARKANSAS,  
*March 3, 1868.*

We, the undersigned, citizens of the county of Pope and State of Arkansas, conceiving and verily believing that the registrars of this county have greatly exceeded their authority, as directed from the reconstruction acts of the Congress of the United States, and have refused to allow many persons, citizens of this county, to register, who were and are lawfully entitled to do so, desire to present to you, as commander of the sub-district of Arkansas, the following protest and statement under oath, hoping that you will see fit to act thereon, and as far as may be in your power correct and redress the evils and grievances under which we now labor. The said registrars have uniformly and persistently excluded from registering as voters all who held the office, if it can be so called, of road overseer before the war, all who acted as judges and clerks of elections, and in at least one case a person who acted as bailiff for a grand jury, and whom they choose to think had afterwards given aid and comfort, &c., &c. They have also extended the application of the term "given aid and comfort" to an unwarrantable extent, as will be seen by reference to the annexed list of names of persons whom they have refused to allow to register. We annex this list merely as a specimen of the way the board has acted; and the names contained therein form only a small proportion of the numerous cases of like character which we might have noticed, and all of which occurred at Dover during the present revision of the registration, commencing February 28, 1868.

In behalf of all the citizens of this (Pope) county, we respectfully ask that the board may be ordered to admit to register the excepted cases herein named, if, in your view, they have been unlawfully excluded, and that the registrars of this county may be required by positive instructions to keep within the bounds of their lawful authority.

They have openly and publicly declared themselves independent of and above the authority and control of any other power than the Congress of the United States, and claim to be responsible to Congress alone for their actions as registrars.

In view of the foregoing facts, we the undersigned pray that the question may be set at rest, and the power of the board of registration defined at the earliest practicable day by an order from the proper source.

CHAS. E. TOBEY.  
G. W. JAMISON.  
CHAS. TOMLINSON.  
W. E. JAMISON.  
JAS. L. ADAMS.  
JAS. M. HARKEY.  
JNO. C. RYE.  
WM. REYNOLDS.  
D. WEST.  
W. W. BROOKS.

Brevet Brigadier General C. H. SMITH,  
*Commanding Sub-District of Arkansas.*

STATE OF ARKANSAS, *County of Pope :*

We, the undersigned, solemnly swear that the matters and things set forth and contained in the within and foregoing statement and protest, and in the annexed schedule and list, are true to the best of our knowledge and belief.

G. W. JAMISON.	D. WEST.
CHARLES TOMLINSON.	JAMES M. HARKEY.
CHARLES E. TOBEY.	J. L. ADAMS.
W. E. JAMISON.	WILLIAM REYNOLDS.

Subscribed and sworn to before me, an acting justice of the peace, this 5th day of March, 1868.

J. L. G. JAMISON, *J. P.*

Names of persons, citizens of Pope county, not allowed to register by the board of registrars of Pope county, with the causes of their rejection, as nearly as can be ascertained :

G. W. Jamison, rejected on account of having been road overseer before the war ; never engaged in the rebellion, nor aided the rebel cause voluntarily, except by working for wages for Confederate States authorities.

R. C. Mason, rejected on account of having served as baliff of a grand jury and afterwards voluntarily entered the Confederate States army.

Thomas Perry, rejected on account of having acted as road overseer before the war, and having voluntarily entered the Confederate States army.

D. P. West, rejected because rebels had eat at his house during the war ; never held office before the war or during its continuance ; never served in the Confederate States army.

James L. Adams, rejected because he had been clerk of an election before he was of age, viz : before he was twenty years of age.

W. E. Jamison, disfranchised because he had been councilman under the charter of incorporation of the town of Dover before the war.

David West, rejected ; no cause assigned. Registrars refused to give

their reasons, though demanded in writing. Mr. West never served in the Confederate States army; never voluntarily aided the rebel cause in any way whatever.

W. H. Brooks, rejected because he had been a road overseer before the war. Served in Confederate States army.

J. L. Crowell, rejected because, previous to the war, he had been an overseer on the road; but had never taken any oath as such overseer. Served in Confederate States army.

Names of registrars of Pope county: W. H. Hickox, W. A. Strickland, and W. T. Brown.

The above named Hickox and Strickland, although acting as registrars, are stated on good authority to be candidates for county offices under the proposed constitution, and expect to be elected at the approaching election; Hickox for county clerk, and Strickland for county judge, probate judge, &c., in direct violation of General Gillem's order on the subject.

### No. 28.

#### OFFICE BOARD REGISTRARS, POPE COUNTY, ARKANSAS, *March 24, 1868.*

SIR: We are in receipt of a document, originating in Dover, directed to your honor, and respectfully returned to registrars Pope county, Arkansas. We have to admit that we were astonished on receipt of said document, as we have allowed every one to register who could consistently have taken the oath. We do not recollect of a single man being rejected who was not rejected by the former board of registrars for this county. Those names appearing in their list of rejected might possibly have been overseers of roads as they say, &c., but they also held other offices prior to the war, and afterwards aided in the rebellion. Mr. David West, whom they say could get no reasons assigned for his rejection, was a captain in United States army during the Mexican war, and also represented this county in the State legislature, and during the rebellion aided in various ways, one in particular—went with armed forces to arrest Rev. William Stout for Union sentiments. Dr. James S. Adams, another one of their "saints," held office before the war; aided the rebellion by being captain of a band of bushwhackers; hung every Union man he got hold of. It can be proved that he hung four on one tree, in this county. R. C. Mason held office before the war, and aided the rebellion by taking what the Union soldiers' wives had left at home with them, leading bushwhackers, &c. Every one of them are of this character, or those who fed and informed them. Each one had held an office prior to the war; and if these men are to be registered we will have to be discharged, and some sent here that don't know them.

We are, sir, very respectfully, your obedient servants,

W. T. BROWN,  
W. A. STRICKLAND,  
W. H. HICKOX,

*Registrars.*

Lieutenant SAMUEL L. MILLS,  
*Acting Assistant Adjutant General.*

## No 29.

UNION, FULTON COUNTY, ARKANSAS, *March 27, 1868.*

Having by yesterday's mail from Pilot Hill, Arkansas, forwarded to you, in substance, the following charges against the registrars of this county, and having reason to believe they will be intercepted on the route and never reach you, I am requested to recapitulate them as near as I can, and send to you by another route, as we never have been able to get any communication to you by that route. The charges which are sent up are signed by about 60 citizens of this county, and the number could have been extended, if thought necessary, to hundreds.

The charges and statements are—

1. There are in this county from six to seven hundred men who, under the old law, would be legal voters, and there are not more than from 50 to 75 ex-officers in the county. Now a glance at the vote given, when nearly every man in the county was anxious to vote, shows there has been evidently a great wrong done us. Only 78 votes against and 115 for constitution. Under a fair vote there would have been at least 200 against constitution.

2. The registrars would not let any man register who had ever held any office, even down to road overseer.

3. They erased the names of scores of men who had registered, not one of whom had any notice or intimation that their names were erased until they came to vote; and to not one in 25 would they give a reason, when asked, why their names were erased, nor did their books show any reason for one in 50.

4. When pressed for a reason for such wholesale disfranchising the reply was Congress is the government, and to speak against Congress or the reconstruction acts was disloyal, and they had a right to erase any man who used disloyal sentiments, or even is suspected of using them.

5. They disfranchised every man in the county who, last November, voted "No Convention."

6. They refused to let men register who have been citizens in the State three, four, five, and six years, because they came from Missouri.

7. They let men register and vote who have not been citizens of the State more than four months, because they would vote with them.

8. They erased and disfranchised old men who had staid at home during the war and took no part in it, because they had not taken the amnesty oath, when the officer appointed to administer the oath had said such men were not required to take it, and there was no necessity of them taking it.

9. The advertisements or notices sent from headquarters, of the five days' revision last year, not one of them was put up, but, instead, a short notice of days and place to revise the registry. From the nature of the notice not one who had registered felt there was any need of his attending, and, as before stated, had no intimation his name was erased until he went to vote.

The above are the charges and statements, or as nearly as I can make them with the notes before me, that were forwarded to you yesterday, which it is desired you may receive. But the signers have good reasons for believing they will be intercepted and sent back to the registrars of this county. These are serious charges, nor would they have been made and you troubled with them had they not been.

I am, sir, your obedient servant,

S. W. COCHRAN.

Brevet Major General GILLEM,

*Commanding Fourth Military District.*

## No. 30.

LITTLE ROCK, ARKANSAS, *March 20, 1868.*

GENERAL: Permit me to introduce to you Judge J. M. Tibbetts, of Little Rock, vice-president of the Merchant's National Bank.

Judge Tibbetts is a prominent and worthy citizen, and understands the condition of the people of Arkansas. His information will be entirely reliable; he is entitled to the highest degree of confidence, and has been always loyal to the government of the United States.

I would be pleased to know through him, or otherwise, at what time the provisional government will give place to the government to be organized under the new constitution.

I remain, general, very respectfully, your obedient servant,  
ISAAC MURPHY,  
*Governor of Arkansas.*

Brevet Major General ALVAN C. GILLEM.  
*Commanding Fourth Military District.*

Received headquarters fourth military district, March 27, 1868.

Respectfully returned to his excellency Isaac Murphy, governor of Arkansas, with the information that the government to be organized under the new constitution will be recognized by the general commanding fourth military district when the provisions of the fifth section of the act of March 2, 1867, and the fifth section of the act of March 23, 1867, shall have been complied with, or when instructions modifying the conditions imposed by said sections shall have been received from competent authority.

By command of Brevet Major General Alvan C. Gillem:

JOHN TYLER,  
*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

## No. 31.

[Telegram.]

LITTLE ROCK, ARKANSAS, *March 31, 1868.*

To Major General GILLEM:

Vote doubtful on new constitution. New legislature intends meeting Thursday. General Smith absent. Will you telegraph preventing meeting of legislature?

R. S. GRANT and  
R. S. NEWTON,  
*For conservative people.*

## No. 32.

[Telegram—10.30 a. m.]

HEADQUARTERS FOURTH MILITARY DISTRICT,  
(MISSISSIPPI AND ARKANSAS.)  
*Vicksburg, Mississippi, April 1, 1868.*

Messrs. R. S. GRANT and R. S. NEWTON, *Little Rock, Ark.:*

Telegram received. The general commanding has no authority to prevent the peaceful assembling of the body mentioned, or any peaceful assembling of the citizens of either political party.

JOHN TYLER,  
*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

## No. 33.

[Telegram—10.30 a. m.]

HEADQUARTERS FOURTH MILITARY DISTRICT,  
(MISSISSIPPI AND ARKANSAS,) *Vicksburg, Mississippi, April 1, 1868.*

His Excellency ISAAC MURPHY,  
*Governor of Arkansas, Little Rock, Ark. :*

The following endorsement was made on your letter of March 20, 1868, presented by Judge Tibbetts, and given him to return :

The government to be organized under the new constitution will be recognized by the general commanding the fourth military district when the provisions of the 5th section of the act of March 2, 1867, and the 5th section of the act of March 23, 1867, shall have been complied with, or when instructions modifying the conditions imposed by said sections shall have been received from competent authority.

By command of Brevet Major General Alvan C. Gillem :

JOHN TYLER,  
*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

## No. 34.

[Telegram—10.30 a. m.]

HEADQUARTERS FOURTH MILITARY DISTRICT,  
(MISSISSIPPI AND ARKANSAS,) *Vicksburg, Mississippi, April 1, 1868.*

General R. B. AYERS,  
*Commanding Sub-District of Arkansas, Little Rock, Ark. :*

The peaceful assembling of any body of citizens of any political party will not be prevented, but you will take measures to prevent any breach of the peace, and will promptly suppress violence or disorder. The following copy of endorsement on Governor Murphy's letter dated March 20, 1868, is furnished for your information :

The government to be organized under the new constitution will be recognized by the general commanding the fourth military district when the provisions of the 5th section of the act of March 2, 1867, and the 5th section of the act of March 23, 1867, shall have been complied with, or when instructions modifying the conditions imposed by said sections shall have been received from competent authority.

By command of Brevet Major General Alvan C. Gillem :

JOHN TYLER,  
*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

## No. 35.

[Telegram—10.30 a. m.]

HEADQUARTERS FOURTH MILITARY DISTRICT,  
(MISSISSIPPI AND ARKANSAS,) *Vicksburg, Mississippi, April 2, 1868.*

Brevet Major General AYERS,  
*Commanding Sub-District of Arkansas, Little Rock, Ark. :*

The following despatch was received at these headquarters :

Demand is made on me as superintendent of public buildings, by the body elected as the legislature under the proposed constitution, for the legislative hall. My bond and official oath prevent it, unless you order it. Telegraph instructions.

JOHN CAMPBELL,  
*Superintendent Public Buildings.*



The body referred to have the undoubted right, possessed by all citizens, of peaceably assembling. They will be recognized by the general commanding as a legislature when the provisions of section 5, act of March 2, 1867, and section 5, act of March 23, 1867, have been complied with, or when instructions modifying said section shall have been received from competent authority. The general commanding can see no objection to the use of the legislative hall, provided such use does not interfere with the transaction of business by the present State government.

By command of Brevet Major General Alvan C. Gillem:

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

No. 36.

[Telegram.]

HEADQUARTERS FOURTH MILITARY DISTRICT,  
(MISSISSIPPI AND ARKANSAS,) *Vicksburg, Mississippi, April 2, 1868.*

JOHN CAMPBELL,

*Superintendent Public Buildings, Little Rock, Ark.:*

Telegram received. General Ayers has instructions. Apply to him.

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

No. 37.

JACKSONPORT, ARKANSAS, *March 18, 1868.*

SIR: We have the honor to report that, owing to very high water in this region, it was absolutely impossible to reach the precinct of Denmark, Jackson county, Arkansas, in time to hold an election as ordered. Therefore there is no report from said precinct. Every effort was made to obey the order.

Very respectfully,

WM. AKERS, *Registrar.*

THOS. SLINGER, *Judge.*

JOS. T. HENDERSON, *Clerk.*

Brevet Major JOHN TYLER,

*A. A. A. General, Vicksburg, Mississippi.*

No. 38.

LAWRENCE COUNTY, ARKANSAS,  
*March 20, 1868.*

SIR: Owing to high water I was not permitted to hold an election in four precincts in my district.

I have the honor to be your obedient servant,

ISAAC HOBBS, *Registrar.*

JOHN TYLER,

*Acting Assistant Adjutant General.*

## No. 39.

LITTLE ROCK, ARKANSAS,  
April 9, 1868.

CAPTAIN: I have the honor to make the following report relative to elections in Jackson county, to be held under provisions of the new constitution adopted at Little Rock, February 11, 1868, and General Orders No. 7, from headquarters fourth military district, Vicksburg, Mississippi.

Owing to high water caused by the overflow of White River bottom, no election was held in Denmark precinct, it being impossible for the commissioners of election to reach that point on the day appointed to hold said election, viz: the 13th day of March, 1868.

Very respectfully, your obedient servant,

N. C. PEARS,  
President Board Registrars.

Captain HALL,

A. A. A. G., Headquarters Sub-District of Arkansas.

## No. 40.

[Telegram—11.30 a. m.]

HEADQUARTERS FOURTH MILITARY DISTRICT,  
(MISSISSIPPI AND ARKANSAS,)
   
Vicksburg, Mississippi, April 18, 1868.

Brevet Brigadier General C. H. SMITH, Little Rock, Ark.:

Red River and California precincts of Searcy and Van Buren counties, respectively, not received.

JOHN TYLER,  
First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.

## No. 41.

[Telegram.]

LITTLE ROCK, ARKANSAS, April 20, 1868.

Major JOHN TYLER, A. A. A. General:

The precinct books of Searcy county show that Red River was registered with Sulphur Springs precinct. Only one man, Ross R. Rodman, was registered in California precinct, Van Buren county, and the election was held for that precinct with Giles precinct.

C. H. SMITH,  
Brevet Brigadier General, Commanding.

## No. 42.

[Telegram.—1 p. m.]

HEADQUARTERS FOURTH MILITARY DISTRICT,  
(MISSISSIPPI AND ARKANSAS,)
   
Vicksburg, Mississippi, April 9, 1868.

Brevet Brigadier General C. H. SMITH, Little Rock, Ark.:

No election returns received from Jefferson and Bradley counties, and five precincts of Lawrence, eight of Searcy, and from Powell precinct, Craighead county, Franklin, Izard, Barren, Jackson, St. Francis, Poin-

sette, California, Van Buren, and Kings White. Also reports of revision of registration from Bradley, Columbia, Crittenden, Jefferson and Montgomery counties. Also reports giving statistical information regarding the election in Arkansas. Have them sent without further delay. If necessary send officers for them.

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

No. 43.

[Telegram.—12.30 p. m.]

HEADQUARTERS FOURTH MILITARY DISTRICT,  
(MISSISSIPPI AND ARKANSAS,)
   
*Vicksburg, Mississippi, April 10, 1868.*

Brevet Brigadier General C. H. SMITH, *Little Rock, Ark.:*

Election returns received to-day complete Arkansas, Jefferson, Columbia, and Searcy counties.

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

No. 44.

[Telegram.]

*LITTLE ROCK, April 11, 1868.*

Major JOHN TYLER, *A. A. A. General:*

No election held in four precincts of Lawrence county. Report sent by mail.

C. H. SMITH,

*Brevet Brigadier General, Commanding.*

No. 45.

[Telegram.—12.30 p. m.]

HEADQUARTERS FOURTH MILITARY DISTRICT,  
(MISSISSIPPI AND ARKANSAS,)
   
*Vicksburg, Miss., April 17, 1868—12.30 p. m.*

Major A. E. LATTIMER, *Commanding Post of Fayetteville, Ark.:*

Two election returns from Prairie precinct, Washington county, Arkansas, received. Were there two polls open? Telegraph answer. Examine records of registrars and forward full report by mail.

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

HEADQUARTERS FOURTH MILITARY DISTRICT,  
OFFICE CHIEF QUARTERMASTER,  
*Vicksburg, Mississippi, October 22, 1868.*

SIR: In reply to your endorsement of the 15th instant, on letter of 29th September, 1868, from Brevet Brigadier General C. B. Comstock, stating that General Grant desired an annual report of the operations in the fourth military district, I have the honor to submit the following report of operations in the quartermasters' department under my direction, which have been confined the past year to the supply of quartermasters' stores and property to the troops in the district, and the construction of the national cemeteries within its limits.

The quartermasters' stores have been generally drawn from the St. Louis purchasing depot, and clothing from the depot at Jeffersonville, Indiana.

Two sub-depots were established within the limits of this command; one at Little Rock, Arkansas, under the immediate charge of Brevet Major T. J. Eckerson, assistant quartermaster United States army, (relieving Brevet Major L. Cass Forsyth, assistant quartermaster United States army, March 1, 1868, who was in charge of said depot previous to that date,) until the withdrawal of Arkansas from the fourth military district, and one at Vicksburg, Mississippi, under the direction of Brevet Colonel J. W. Scully, assistant quartermaster United States army.

The business of the department has been carried on economically, and, so far as can be learned, the wants of the troops have been promptly supplied. Local contracts for fuel and forage have been made where it has been considered to the best interest of the service.

The following is a statement of public moneys received and expended during the past year:

On hand October 1, 1867.....	\$50 30
Received from officers .....	4, 214 05
Received from Treasury Department .....	918, 146 12
Received from sales, &c .....	1, 467 00
Total.....	<hr/> 923, 877 47 <hr/>
Disbursed.....	\$184, 162 85
Transferred to officers .....	691, 410 26
Remaining on hand September 30, 1868 .....	48, 304 36
Total.....	<hr/> 923, 877 47 <hr/>

Temporary public quarters have been erected for the troops at the following stations:

Vicksburg, Mississippi, (previous to this year.)

Natchez, Mississippi, (previous to this year.)

Jackson, Mississippi, (previous to this year.)

Grenada, Mississippi, (during the year.)

Corinth, Mississippi, (previous to this year.)

At the following stations the quarters are rented:

Holly Springs, Mississippi.

Columbus, Mississippi.

Brookhaven, Mississippi.

On the 11th and 13th of November, 1867, there was received by me, on account of the "Sheltering fund," the sum of sixty thousand (60,000) dollars, which, up to date, has been expended as follows:

At Vicksburg, Mississippi .....	\$2,604 50
At Grenada, Mississippi .....	6,220 00
At Jackson, Mississippi .....	6,763 95
At Corinth, Mississippi .....	1,664 99
At Little Rock, Arkansas .....	22,236 21
At Camden, Arkansas .....	5,444 67
At Fort Smith, Arkansas .....	3,553 97
At Pine Bluff, Arkansas .....	3,330 98
At Fayetteville, Arkansas .....	503 61
At Dover, Arkansas .....	2,189 00
At Washington, Arkansas .....	1,554 07
 Total expended to date .....	 56,065 95

The cemeterial operations in the district have been urged forward as fast as possible. Up to the 4th of August, 1868, the following cemeteries were being constructed:

At Vicksburg, Mississippi.  
At Natchez, Mississippi.  
At Little Rock, Arkansas.  
At Fayetteville, Arkansas.  
At Fort Smith, Arkansas.

The cemeteries at Pine Bluff and Duvall's Bluff, Arkansas, have been broken up and the remains removed to Little Rock cemetery. The cemetery at Camden, Arkansas, has also been broken up, and the remains removed to Baton Rouge, Louisiana.

The cemetery at Corinth, Mississippi, although within this district, has been under the charge of the chief quartermaster of the department of the Cumberland.

Rapid progress is being made on the Vicksburg and Natchez cemeteries, and it is estimated that they will be completed by the 1st of March, 1869.

I am, sir, very respectfully, your obedient servant,

J. G. CHANDLER,

*Brevet Colonel and Quartermaster U. S. A.,*

*Chief Quartermaster, 4th Military District.*

Brevet Major JOHN TYLER,

*First Lieutenant 43d Infantry U. S. A.,*

*Acting Assistant Adjutant General.*

Official copy:

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

HEADQUARTERS FOURTH MILITARY DISTRICT,

(DEPARTMENT OF MISSISSIPPI,)

*Office of Paymaster, Vicksburg, Mississippi, November 3, 1868.*

MAJOR: I have the honor to report, for the information of the general commanding, that I assumed my duties as paymaster, for disbursement of the fund appropriated for the payment of reconstruction expenses, on the 23d day of May, 1867, at which date I received \$97,222 22; on

August 28, 1867, \$367,612 55; on March 2, 1868, \$150,000; on August 18, 1868, (by Major Etting, temporarily acting,) \$46,666 22; on August 21, 1868, (by Major Etting,) \$30,000; making a total received up to October 31, 1868, of \$691,500 99, which has been expended for reconstruction purposes, except a balance of \$1,726 06 remaining on hand October 31, 1868, to my credit, and Major J. W. Smith, paymaster, disbursing under my orders in the State of Arkansas.

On November 2, 1868, I received \$45,000, which is to my credit in New Orleans, giving me at this date, November 3, 1868, a total balance of \$46,726 06 reconstruction funds.

It will require to liquidate all reconstruction claims now filed and due in this office a further sum of about \$25,000. This includes Arkansas.

I have during the past year been paying all officers, enlisted men, and discharged soldiers, in the State of Mississippi, and a portion of Louisiana, in connection with my duties under reconstruction acts.

I am, general, very respectfully, your obedient servant,

P. P. G. HALL,

*Paymaster United States Army.*

Brevet Major JOHN TYLER,

*Acting Assistant Adjutant General,*

*Fourth Military District.*

Official copy :

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

JACKSON, MISSISSIPPI, *October —, 1868.*

SIR: In obedience to your letter of the 15th instant I transmit, herewith, a report of the stores received, issued, and remaining on hand during the last year. The amount is very small, as all requisitions are forwarded to the ordnance department at Washington, in obedience to instructions from that department.

There is a contract with Mr. J. B. Bailey for collecting old iron belonging to the ordnance department in this district. As yet the only progress made is the collection of about 25 or 30 tons at Vicksburg, Mississippi.

There have been no other operations of any consequence by the ordnance department in this district.

Very respectfully, your obedient servant,

JASPER MYERS,

*Captain Ordnance Department U. S. A.*

Brevet Major JOHN TYLER,

*Acting Assistant Adjutant General,*

*Fourth Military District, Vicksburg, Mississippi.*

Official copy :

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

*Stores received, issued, and remaining on hand during the last year.*

	On hand September 30, 1867.	Received during the year from September 30, 1867, to September 30, 1868.	Total.	Issued from September 30, 1867, to September 30, 1868.	Remaining on hand.
<b>SERVICEABLE.</b>					
Cavalry saddles, complete.....	15	51	66	.....	66
Cavalry curb bridles.....	15	16	31	2	29
Cavalry halters and straps.....	15	11	26	2	24
Nose bags.....	15	14	29	.....	29
Lariats.....	15	16	31	.....	31
Curry-combs.....	20	12	32	.....	32
Cavalry blankets.....	15	18	33	2	31
Horse brushes.....	20	13	33	2	31
Pairs spurs.....	15	45	60	2	58
Pairs spur straps.....	15	16	31	2	29
Cavalry saddles, incomplete.....	.....	3	3	2	1
<b>UNSERVICEABLE.</b>					
Non-commissioned officers' swords.....	.....	1	1	1	.....
Musicians' swords.....	.....	1	1	1	.....
Bayonet scabbards.....	.....	26	26	26	.....
Cartridge boxes.....	.....	5	5	5	.....
Gun slings.....	.....	6	6	6	.....
Non-commissioned officers' sword, belt, and plates.....	.....	1	1	1	.....
Non-commissioned officers' waist belt plates.....	.....	2	2	2	.....
Waist belts, privates'.....	.....	10	10	10	.....
Waist belts, privates'.....	.....	9	9	9	.....
Cavalry saddles, incomplete.....	.....	12	12	.....	12
Cavalry bridles.....	.....	38	38	.....	38
Curry-combs.....	.....	35	35	.....	35
Cavalry halters and straps.....	.....	39	39	.....	39
Horse brushes.....	.....	35	35	.....	35
Lariats.....	.....	54	54	.....	54
Nose bags.....	.....	37	37	.....	37
Cavalry saddle blankets.....	.....	34	34	.....	34
Spur straps, pairs.....	.....	29	29	.....	29
Packing boxes.....	2	16	18	1	17

# HEADQUARTERS FOURTH MILITARY DISTRICT,

## DEPARTMENT OF MISSISSIPPI,

*Vicksburg, Mississippi, November 7, 1868.*

SIR: I enclose, herewith, official copies of the annual reports of the medical and judge advocate's departments of this district, not received in time to forward with my report of the 1st instant, with request that they be appended to my annual report.

I am, sir, very respectfully, your obedient servant,

**ALVAN C. GILLEM,**

*Brevet Major General Commanding.*

**ADJUTANT GENERAL**

*United States Army, Washington, D. C.*

HEADQUARTERS FOURTH MILITARY DISTRICT,  
DEPARTMENT OF MISSISSIPPI,  
*Vicksburg, Mississippi, November 1, 1868.*

MAJOR: In obedience to instructions from your office, under date of the 15th ultimo, I have the honor to report the following as the operations in my office since the 1st of November, 1867, to wit: Charges and specifications in 333 cases have been revised; 399 records of the proceedings of military courts have been reviewed, comprising the cases of three officers and 335 enlisted men tried by general court-martial, and the cases of 61 civilians tried by military commissions.

There have also been made 154 reports, under references from your office, of legal and other questions.

This report has been delayed by my absence from Vicksburg on duty.

I am, sir, very respectfully, your obedient servant,

HENRY GOODFELLOW,

*Judge Advocate U. S. A., Judge Advocate Fourth Mil. Dist.*

Brevet Major JOHN TYLER, A. A. A. G.

Official copy: .

JNO. TYLER,

*First Lieut. 43d Inf., Bvt. Major U. S. A., A. A. A. G.*

HEADQUARTERS FOURTH MILITARY DISTRICT,  
MEDICAL DIRECTOR'S OFFICE,  
*Vicksburg, Mississippi, November 4, 1868.*

MAJOR: In reply to your communication of the 15th ultimo asking for a report of the operations in my department during the year, I have the honor to say my first duty in coming to this district last fall consisted in the establishment of quarantine stations at Brookhaven and Jackson, on the lines of the New Orleans and Jackson and Vicksburg and Meridian railroads, on account of the yellow fever existing in the former city in the form of an epidemic. Notwithstanding all fibrous goods were fumigated and disinfected, and all passengers by railroads coming from New Orleans were detained at these stations, and by steamers at the station two miles below this city, and every possible precaution taken, the fever made its appearance and soon became epidemic in Vicksburg, destroying many citizens, and among them the mayor, Colonel Maltby. At the military post of Vicksburg, garrisoned by six companies of the 24th infantry, there were only 13 cases and four deaths, and at the post of Jackson but one case, which terminated fatally. These posts had also been visited by cholera, which, however, did not become epidemic. In June of the present year I again recommended the establishment of the quarantine at the above-mentioned places should the yellow fever, which had already appeared sporadically, become epidemic. The season has now passed, and the necessity for this precautionary measure has not been presented.

During the year I have recommended the erection of post hospitals at Corinth, in this State, for 12, at Washington, Arkansas, for 12, and at Fort Smith for 48 beds. These have all been completed in accordance with plans furnished by the Surgeon General of the army. Additions and improvements have also been made in the post hospitals at Vicksburg, Jackson, and other places in the district. According to instructions from the Surgeon General's office, "Tompkins's wheeled litters" have been distributed to the posts in Arkansas and in this State.



In February I requested the Commissioner of Agriculture to furnish garden seeds sufficient to plant 50 acres of ground, for the purpose of raising vegetables for the sick and convalescent in all the hospitals in this State and Arkansas. I was induced to make this request on the well known character for liberality of the Department of Agriculture. Not succeeding in procuring the seeds required for this purpose, I recommended the purchase of seeds to be made from the hospital fund. (See papers marked D and E.) The subsequent order of the General commanding the army relieved the hospitals of this expense.

In June I recommended the purchase of carbolic acid for distribution, for disinfecting purposes, to all the military posts in this district. (See papers marked G and H.) On account of the many cases of disability arising from malarial diseases, I recommended in August (see paper marked F) the transfer of all those greatly debilitated to Pass Christian, or some other point on the Gulf coast, where they could derive the benefit of sea air and bathing. In this connection, I desire respectfully to recommend the establishment of a hospital at some place, as above mentioned, as a sanitarium for the benefit of the convalescents of the army in the Gulf States.

Enclosed please find a statement of the operations of the hospital department, including the number of medical officers, hospital stewards, &c., in the 4th military district, at the date of last report received at this office.

Very respectfully, your obedient servant,

EBN. SWIFT,

*Breret Brig. Gen. and Surgeon U. S. A., Med. Director.*

Brevet Major JOHN TYLER, U. S. A.,

*A. A. A. G., Fourth Military District.*

Official copy :

JOHN TYLER,

*First Lieut. 43d Inf., Bvt. Major U. S. A., A. A. A. G.*

D.

HEADQUARTERS FOURTH MILITARY DISTRICT.

MEDICAL DIRECTOR'S OFFICE.

*Vicksburg, Mississippi, February 18, 1868.*

SIR: As I purpose directing the establishment of vegetable gardens for the benefit of the sick and wounded, in connection with the different hospitals in this district, and as a large quantity of seed will be required for planting the same, I have the honor to request you to send a full supply of such (suitable for hospital gardens) to my address. The quantity of ground to be planted will exceed 50 acres.

I am, sir, very respectfully, your obedient servant,

EBN. SWIFT.

*Breret Col. and Surg. U. S. A., Med. Director.*

E. M. WHITTAKER, Esq.,

*Commissioner of Agriculture, Washington, D. C.*

Official :

JOHN TYLER.

*First Lieut. 43d Inf., Bvt. Major U. S. A., A. A. A. G.*

## E.

HEADQUARTERS FOURTH MILITARY DISTRICT,  
MEDICAL DIRECTOR'S OFFICE,*Vicksburg, Mississippi, March 6, 1868.*

SIR: I herewith enclose a copy of a communication forwarded by me to the Commissioner of Agriculture, at Washington, D. C., in reply to which the following articles were received, viz:

Three and one-half ounces Philadelphia extra early peas, 3 ounces Tom Thumb peas, 3 ounces early dun-colored dwarf kidney beans, and  $1\frac{1}{2}$  ounce consisting of Cook's favorite tomato, pineapple shoot-top beet, short prickly cucumber, large sugar parsnips, white onion, long smooth blood-beet, and fine lage drumhead cabbage, which, being so utterly inadequate for the hospital gardens of this district, were turned over to the chief quartermaster of the district for such disposition as he may choose to make of them, and, in consideration of the above, I desire that it may not be deemed improper to make limited purchases of garden seeds from the hospital fund.

Very respectfully, your obedient servant,

EBN. SWIFT,

*Brevet Col. and Surgeon U. S. A.*

[A copy of the within sent to each post surgeon.]

Official:

JOHN TYLER,

*First Lieut. 43d Inf., Bvt. Major U. S. A., A. A. A. G.*

## F.

HEADQUARTERS FOURTH MILITARY DISTRICT,  
MEDICAL DIRECTOR'S OFFICE,*Vicksburg, Mississippi, August 30, 1868.*

SIR: Will you please furnish this office with a list of such patients under your charge as are much debilitated by miasmatic or other diseases, and who, in your opinion, would be improved by the benefits to be derived from sea air and bathing.

By laying this matter before the general commanding I hope to be able to effect a transfer of such cases to the Gulf coast.

Very respectfully, your obedient servant,

EBN. SWIFT,

*Bvt. Brig. Gen. and Surgeon U. S. A., Medical Director.*

Official copy:

JOHN TYLER,

*First Lieut. 43d Infantry, Bvt. Maj. Gen. U. S. A., A. A. A. G.*

## G.

*Recommendation endorsed in application of Assistant Surgeon A. A. Yeomans, U. S. A., for disinfectants.*

HEADQUARTERS FOURTH MILITARY DISTRICT,  
MEDICAL DIRECTOR'S OFFICE,  
Vicksburg, Mississippi, June 9, 1868.

Respectfully forwarded to headquarters fourth military district.

Fully impressed with the value of *carbolic acid* as a disinfectant over everything else used for that purpose, and believing it to be no more expensive, I recommend its purchase for distribution to every post in the 4th military district, for which 25 or 30 barrels will be sufficient. I further believe that a liberal use of the above disinfectant at this and other places will prevent those dreaded diseases, *cholera* and *yellow fever*, from becoming epidemic, should they be imported.

EBN. SWIFT,  
Bvt. Col. and Surgeon U. S. A., Medical Director.

Official:

JOHN TYLER,  
First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.

## H.

HEADQUARTERS FOURTH MILITARY DISTRICT,  
MEDICAL DIRECTOR'S OFFICE,  
Vicksburg, Mississippi, July 24, 1868.

SIR: The quartermaster's department has forwarded to your post carbolic acid as a disinfectant. It is contemplated that the acid will be turned over to you to be used as you may direct, in disinfecting latrines, privies, cesspools, &c.

The following will be found as convenient and economical as any way in which it can be used:

To seven ounces of carbolic acid add two ounces of ordinary lime and two gallons of water; distribute daily where needed, by means of a sprinkler or watering pot.

EBN. SWIFT,  
Bvt. Col. and Surgeon U. S. A., Medical Director.

Official copy:

JOHN TYLER,  
First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.

*Statement of hospital department and its operation in the 4th military district during the past year.*

Number of post hospitals in 4th military district .....	7
Capacity of post hospital (number of beds) .....	240
Number taken sick and wounded during year .....	4, 194
Number died .....	34
Number discharged on surgeons' certificates of disability .....	64

Ratio of deaths per 1,000 of cases treated.....	810
Number of medical officers .....	11
Number of hospital stewards at date of last report .....	6
Number of attendants at date of last report.....	30
Number remaining on sick report at date of last report.....	216
Amount of hospital fund credit at date of last report .....	\$240

*Remarks.*

The greatest amount of sickness was in September .....	No. sick. 723
The least amount of sickness was in February.....	299

The above only included the State of Mississippi; the records pertaining to Arkansas having been transferred to the department of Louisiana.

EBN. SWIFT,

*Bvt. Brig. Gen. and Surgeon U. S. A., Medical Director.*

Official copy:

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

HEADQUARTERS FOURTH MILITARY DISTRICT,  
*Vicksburg, Mississippi, July 14, 1868.*

GENERAL: I have the honor to submit the following report of my action as regards the State of Mississippi under the act known as the military reconstruction bill, and the acts supplementary thereto:

At the date of my assuming command, January 9, 1868, the constitutional convention was in session, having assembled on the 7th of January.

The first action of the convention which was submitted for my consideration was a resolution of January 24th, 1868, (see Appendix A, No. 11,) setting forth the general destitution which existed in the State, and appointing a committee of five "to proceed to Vicksburg and urge General Gillem to issue an order forbidding all officers and trustees to sell any more property, except for wages or mechanical labor, until further orders from him."

Not believing that the law under which the convention was assembled granted them any legislative power, and, moreover, being convinced that the action requested would be detrimental to the interests of the people of the State, I declined issuing the order requested of me, giving my reasons in a communication addressed to the Hon. George A. Stovall by my adjutant general, (for which see Appendix A, No. 13.)

On the 25th of January a communication was received from a committee, of which Charles W. Fitzhugh was chairman, (see Appendix A, No. 14,) enclosing a resolution of the convention stating "that there were many persons known as refugees, some as former slaves sold and taken from their friends at home, and that they were without the necessary means of returning thereto," and requesting me to furnish such persons with the necessary means to reach their former homes. There being no legal authority for expending public funds for such a purpose, I was necessarily compelled to decline acceding to the request contained in the resolution, and did so in a communication addressed to Charles W. Fitzhugh, F. A. Moore, and H. W. Stringer. (see Appendix A, No. 16.)

On the 9th day of February, ultimo, I received a copy of a resolution (see Appendix A, No. 17) enclosing a report of a committee of the constitutional convention on destitution, and requesting me to carry out the

recommendation of said committee. Knowing that the representation of the committee as regarded destitution, in setting forth that there were 20,000 persons actually suffering, was greatly exaggerated, and being further convinced that the convention did not possess the legal legislative authority assumed of appointing a commissioner and appropriating the poll-tax for the relief of the destitute, I declined complying with the resolution, in a letter addressed to the Hon. B. B. Eggleston, February 15th, (see Appendix A, No. 18,) at the same time assuring the convention that I had thoroughly investigated the subject of destitution, and that, as assistant commissioner Bureau, &c., had the means and would employ them in the relief of such destitute persons as really required assistance.

On the 26th of January a communication was received from Benjamin H. Orr, chairman of a committee, (see Appendix A, No. 19,) asking, in behalf of the convention, whether, in the event of the passage of an ordinance providing for the levying and collection of a special tax on the real and movable property in the State, will the civil authorities be prevented from collecting said tax, either by forcible resistance or injunction, or other measures emanating from or issued by any civil court or other authorities of the State. On the same day Mr. Orr was informed that the "civil authorities will not be prevented from collecting said taxes by forcible resistance;" and further, "that an order of the convention made in conformity with the 8th section of the act of March 23, would be recognized as legal."

On the 13th day of February I was called upon by the Hon. George C. McKee, member of the constitutional convention, who presented me with a copy of the resolution passed by the convention February 12, 1868, (see Appendix A, No. 20,) setting forth that a special tax levied by a convention ordinance, January 24, (see Appendix A, No. 21,) was meeting opposition, and that the people had determined not to pay the tax, unless compelled to do so by military orders, and requesting me to publish a general order directing the people to pay the tax.

After carefully examining the ordinance, I was convinced that many of its provisions were in violation of the act of Congress of March 23, 1867, which authorized the convention to provide for the levy and collection of a tax on the property in the State to defray the expenses of the convention.

By an examination of the ordinance it is apparent that the convention did not restrict itself to levying a tax upon property, as, for instance, section 2 levies a tax upon auction stores, breweries, &c.; section 3 levies a tax upon livery stables, coal yards, carriage factories, &c.; section 4 levies a tax upon bounty agents, gunsmiths, neither of which can be construed in any way as property; section 6 levies a tax upon banking establishments, exchange brokers, and specifies that any person doing business in the streets, highways, or other places, shall be considered as a broker, and liable for the tax provided in this section, which is \$100. Sections 8 and 9 levy taxes upon newspapers and printing presses. In fact, as will be apparent by an examination of ordinances, a tax was levied upon persons, privileges, and franchise.

Believing that such was not the intention of the law, under which the convention was assembled, I could not order the collection of such taxes. Moreover, the convention assumed a legislative power of creating a new system for the collection of this tax, by appointing tax collectors, unknown to the laws of the State, and from whom no bonds were required for the faithful performance of their duties, and a special treasurer to receive and disburse the money collected under this ordinance. The tax levied by section 27, believed to be in conformity with the act of Congress, the

convention was informed would, if desired, be enforced. The other sections being considered in violation of the law, the convention was informed would not be enforced by the military. (See Appendix A, No. 25, to which especial attention is invited in connection with the ordinance of the convention, Appendix A, No. 21.) I desire a careful examination of both the ordinances, and my reasons for not enforcing the same.

On the fourth day of March I received an ordinance, passed by the convention February 27th, providing for the levying and collection of a tax to defray its expenses, and although some of the provisions of this ordinance, as, for instance, that providing the tax should be collected in ten days, were regarded as arbitrary, the tax therein levied was ordered to be collected by the sheriffs, the only modification being as regarded the time, which was extended to thirty instead of ten days. The convention was afterwards convinced that even this extension did not allow sufficient time for the collection of the tax, and requested by resolution that it should be extended from April 6 to August 1, the time allowed by law for sheriffs to make their final settlement of the ordinary tax.

The tax ordinance, as finally published in General Orders, No. 10, headquarters fourth military district, (see Appendix A, No. 29,) which order is believed to have been executed strictly by the sheriffs of the different counties, under the direction of the State auditor, who is charged with the execution of the ordinance. (See Appendix A, No. 31.)

Prior to my assuming command Governor B. G. Humphreys had issued a proclamation, citing the unsettled condition of affairs, alluding to apprehended difficulties between the two races, and urging all persons to aid in the preservation of law and order. Governor Humphreys, being called upon for the information upon which he had issued his proclamation, informed the convention that it was done at the instance of Major General Ord, my predecessor in command of this district. The chairman of the committee then addressed me a communication, (see Appendix A, No. 34,) requesting me to furnish any information he might be in possession of, with regard to the truth of the report upon which said proclamation was founded, to the end that the public may be put in possession of all the facts pertaining to said report. Upon the examination of the papers and reports bearing on this subject, which had been transferred to me by General Ord, I found in many cases letters of a private and confidential nature, evidently never intended for publication, and believing that to furnish them with the names of the writers would not only be a breach of faith and productive of no public good, but, on the contrary, might create animosity and ill feeling between individuals and be detrimental to the public welfare, I declined furnishing them as requested. (See Appendix A, No. 35.)

On the 7th of March the convention passed an ordinance (see Appendix A, No. 36) to protect certain persons in their rights of property. On the 17th of March they were informed through the chairman of the committee on the subject that the third section of the act of Congress, passed March 2, 1867, made it the duty of the general commanding to protect all persons in their rights of person and property, and that in any instance brought to his notice where any person without regard to race or previous condition was deprived of his property, measures will be taken to secure to him what was justly due. (See Appendix A, No. 37.)

On the 14th of May the convention passed a resolution setting forth that the commanding general of the district had directed the sheriffs of the different counties not to collect a tax levied upon railroads, setting forth that such action was contrary to the provisions of the tax ordi-

nance, and directing the Hon. Benjamin H. Orr to proceed to Vicksburg and confer with the general commanding in reference to the collection of said tax. (See Appendix A, No. 49.)

Mr. Orr called upon me on the 15th of May, and in a personal conference claimed that the convention had the same power to tax property in the State of Mississippi that is possessed by the Congress of the United States, and that the convention did not recognize any State law or chartered rights granted by the State of Mississippi exempting property from taxation, and that if General Gillem did not enforce the payment of the tax of one-half of one per cent. levied on railroad property, amounting to about \$50,000, that it would be necessary for the convention to delay its contemplated adjournment, or meet again in about ten days to levy an additional tax to supply the deficiency thus caused, which would involve a much heavier expense. (See Appendix A, No. 50.) After carefully examining the law I was convinced that it was not the intention of the 8th section of the act of March 23, 1867, to authorize the convention to levy a tax other than on property, and then only on property taxable under State laws. Railroads in Mississippi, by their charters and State laws, are exempt from taxation until 1874, these charters and laws having been granted and passed in 1854. Capital had been invested in these roads, under the express stipulation that it was exempt from taxation. The roads had been built, and the privileges granted by the charter had become vested rights, and to tax these roads it is believed would have been a violation of the obligations of a contract.

The second reason given by Mr. Orr, that it would be necessary for the convention to delay its contemplated adjournment for the purpose of levying an additional tax, which would involve a heavier expense, is not considered as having sufficient legal force to require refutation.

I declined enforcing the tax in a communication addressed to the Hon. B. B. Eggleston, May 15. (See Appendix A, No. 51.)

On the 14th of April, 1868, I received a copy of an ordinance providing for the protection of the electors, (see Appendix A, No. 38,) but considering the provisions of the act creating the military districts as charging me with the responsibility of securing a free and impartial election, no action was taken in compliance with the resolution. And in this connection I also invite attention to a resolution passed by the convention March 16, (see Appendix A, No. 46,) appointing a committee on general arrangements, and empowering it to sit during the adjournment of the convention, to confer with the general commanding, and arrange a plan for holding the election for the rejection or ratification of the constitution, and directing said committee, as soon as possible after the election, to ascertain and make proclamation of the result thereof; section 4 of the act passed March 23, 1867, making it the duty of the general commanding the district to provide for the holding the election for the ratification or rejection of the constitution, the committee appointed in the foregoing resolution were informed in a personal conference that every precaution would be taken "to secure the registered and qualified electors in the State an opportunity to vote freely and without restraint, fear, or the influence of fraud;" but that the returns of the election would be made as required by law to the commanding general of the district, and accordingly upon the receipt of the constitution framed by the convention, and adopted May 15, 1868, General Orders No. 19, from headquarters 4th military district, providing for an election for the ratification or rejection of said constitution were issued May 19. (See Appendix B, No. 1.)

The election to begin June 22, and to continue until completed, as

provided in said order. In framing the order every precaution which suggested itself to me was taken to secure a strict execution of the laws under which the election was held, and to secure all registered and qualified electors an opportunity of freely expressing their desires on the question at issue through the ballot-box.

On the 20th of May General Orders No. 20 (see Appendix B, No. 2) were issued, appointing the boards of registration to conduct the election, as provided for by section 4 of the act of March 23, 1867, and in order to secure a faithful and intelligent execution of the law, as provided for in General Orders No. 19, by the boards of registration, who were *ex officio* commissioners of election, the State was divided into districts, and for each district an inspector of election was appointed. For the names of these officers, with their districts, see Special Orders No. 115. (Appendix B, No. 3.)

The inspectors were required to visit each board of registration and to ascertain from personal examination whether the members were conversant with the laws and orders which they were required to execute, and which were promulgated in Circulars Nos. 3 and 4, (see Appendix B, Nos. 4 and 5.) and for the orders under which the inspectors of election were acting. (See Appendix B, No. 6.)

The constitutional convention having provided for the election of members of Congress, State officers, and for members of both branches of the legislature, Circular No. 6 was issued, defining the congressional and State senatorial districts, and the apportionment of representatives. (See Appendix B, No. 7.)

In some of the most populous cities I apprehended that one day would not afford a sufficient opportunity for all the registered voters to cast their ballots, and therefore directed Circular No. 7 (see Appendix B, No. 8) to be issued, directing that the polls should be open two days at Vicksburg, Natchez, Columbus, Jackson, Yazoo City, Holly Springs, Aberdeen, Canton, Hernando, Grenada, Brandon, Meridian, Port Gibson, and Lexington.

It having been brought to my notice that registered voters in many cases had lost their certificates of registration, boards of registration were directed to issue duplicates upon application, accompanied by satisfactory evidence of identity, under the restrictions prescribed in Circular No. 9. (See Appendix B, No. 10.) As it was apprehended that some of the registrars might vacate their positions, and thus embarrass or prevent the execution of the election order, inspectors of election were ordered to fill vacancies that might occur in boards of registration, reporting their action to these headquarters.

Such were the provisions made for carrying into effect the 4th section of the act of Congress of March 23, 1867, providing that when the convention shall have framed a constitution, said constitution shall be submitted to the persons registered under the provisions of this act, at an election to be conducted by the officers or persons appointed, or to be appointed, by the commanding general, as hereinbefore provided, and to be held at the expiration of thirty (30) days from the date of notice thereof, to be given by said convention, and the returns thereof shall be made to the commanding general of the district.

When I was relieved, June 3, from the command of the fourth military district by Brevet Major General McDowell, the records at these headquarters show that General McDowell made but one modification in the arrangements for holding the election, by prescribing that the election should continue an additional day at each county seat "exclusively for the benefit of those who have been registered and lost their certificates of registration." (See Appendix B, No. 13.)



For the manner in which inspectors of election performed their duties and the care that was taken to ascertain that the commissioners of election were thoroughly acquainted with the duties that they were to perform, and the precautions that were taken to prevent fraud, I respectfully invite attention to their reports herewith transmitted. (Appendix B, No. 14 to 58, inclusive.)

The duty of stationing the troops in such manner as to maintain order and secure a fair election devolved upon me as commander of the sub-district of Mississippi.

Prior to the election the troops were stationed at seven posts, viz: Vicksburg, Natchez, Jackson, Grenada, Holly Springs, Corinth and Columbus.

During the election five companies from the department of the Cumberland reported to me for duty, and, together with the troops previously in the State, amounting to 27 companies, were distributed at sixty-three posts and stations; and I may add that in every instance in which it was reported that fear of disturbance or interference with the election was apprehended, regardless of the source from whence the report emanated, troops were directed to be present and maintain order, and that no instance of intimidation or violence at the polls was reported by the commanders of posts or detachments, but, on the contrary, the elections are reported to have been conducted in an orderly manner.

During the election commanding officers of troops were directed to afford all necessary assistance to the civil authorities in the preservation of peace and good order. At the same time they were held responsible that force was only used when it was absolutely necessary. (See Appendix B, No. 64.)

On the 4th day of July, in compliance with General Orders No. 23, Adjutant General's office, I relieved General McDowell in command of the fourth military district. On the 10th instant, the boards of registration of the various counties having all made their returns as required by the 4th section of the act of March 23, 1867, they were consolidated and show the following as the result of the election:

County.	Number of voters registered prior to revision.	Report of the revision of books for 1868.				Vote on the ratification of the constitution.		
		Number added.	Number erased.	Net number added.	Total number of voters registered.	For.	Against.	Total.
Adams.....	4,041	613	30	583	4,624	2,936	834	3,770
Amite.....	1,703	.....	.....	.....	1,703	228	1,093	1,321
Attala.....	2,370	107	.....	107	2,477	969	976	1,965
Bolivar.....	1,649	231	.....	231	1,880	1,072	157	1,229
Calhoun.....	1,391	152	1	151	1,542	103	997	1,100
Carroll.....	3,731	310	4	306	4,037	276	2,727	3,003
Chickasaw.....	3,241	484	.....	484	3,725	971	1,799	2,770
Choctaw.....	1,211	144	1	143	1,354	864	114	978
Coahoma.....	2,430	109	.....	109	2,539	277	1,381	1,658
Claiborne.....	2,609	257	.....	257	2,866	1,696	665	2,361
Clark.....	1,872	319	3	316	2,188	993	835	1,828
Covington.....	614	74	.....	74	688	93	440	533
Copiah.....	3,087	601	.....	601	3,688	536	2,524	3,080
Davis.....	426	49	.....	49	475	132	235	367
De Soto.....	4,233	473	.....	473	4,706	413	2,167	2,580
Franklin.....	1,234	95	.....	95	1,329	197	756	953
Greene.....	315	15	.....	15	330	59	123	181
Hancock.....	832	25	.....	25	857	143	414	547
Harrison.....	873	69	2	67	940	231	433	664
Hinds.....	5,338	643	7	636	5,974	2,869	2,044	4,913

## Returns—Continued.

County.	Number of voters registered prior to revision.	Report of the revision of books for 1868.				Vote on the ratification of the constitution.		
		Number added.	Number erased.	Net number added.	Total number of voters registered.	For.	Against.	Total.
Holmes	3,480	231		231	3,711	1,793	1,207	3,000
Issaquena	1,423	86		86	1,509	1,057	104	1,161
Itawamba	1,328	62		62	1,390	207	683	890
Jackson	768	60		60	828	123	383	506
Jasper	1,672	191	1	190	1,862	453	1,003	1,456
Jefferson	2,525	209	3	206	2,731	1,672	653	2,325
Kemper	2,085	218		218	2,313	1,021	953	1,974
Lafayette	2,457	385	3	382	2,839	298	1,895	2,193
Lauderdale	2,792	493	3	490	3,282	1,323	1,361	2,684
Lawrence	1,904	181		181	2,085	503	965	1,468
Leake	1,380	74	3	71	1,451	473	722	1,195
Lee	2,753	262		262	3,015	114	1,933	2,047
Lowndes	5,577	558		558	6,135	3,229	2,004	5,233
Madison	3,548	384	2	382	3,939	2,055	1,190	3,245
Marion	685	73	3	70	755	273	319	592
Marshall	3,986	723	2	721	4,707	1,587	2,279	3,866
Monroe	4,355	409	10	399	4,754	2,067	1,759	3,826
Neshoba	866	83		83	949	172	541	712
Newton	1,648	141		141	1,789	115	1,182	1,297
Noxubee	4,354	614		614	4,968	2,978	1,301	4,279
Oktibbeha	2,408	237	3	234	2,642	1,256	999	2,255
Panola	3,195	612	2	610	3,805	1,503	1,568	3,071
Perry	374	42		42	416	58	228	286
Pontotoc	1,971	73	1	72	2,043	698	929	1,627
Pike	1,842	354	5	349	2,191	511	1,196	1,707
Rankin	2,923	256	24	232	2,455	161	1,864	2,025
Scott	1,465	87	7	80	1,545	291	911	1,202
Simpson	891	81		81	972	49	682	731
Smith	1,009	69		69	1,078	3	827	830
Sunflower	1,027	37		37	1,064	374	301	675
Tallahatchie	1,508	167		167	1,675	196	1,031	1,227
Tippah	2,622	182	7	175	2,797	190	1,621	1,811
Tishomingo	3,300	204		204	3,504	479	1,860	2,339
Tunica	993	137		137	1,130	499	109	608
Wayne	837	104		104	941	394	219	613
Warren	6,604	1,026		1,026	7,630	4,851	1,316	6,167
Washington	3,726	160	1	159	3,885	2,733	251	2,984
Wilkinson	2,820	463	1	462	3,282	2,186	627	2,813
Winston	1,379	134	1	133	1,512	440	729	1,169
Yallobusha	3,084	556		556	3,640	932	1,963	2,895
Yazoo	3,863	358	2	356	4,219	1,816	1,490	3,306
Total	139,937	15,546	132	15,414	155,351	56,231	63,860	120,691

Majority against constitution, 7,629.

## Vote for State officers.

County.	Governor.		Lieut. Governor.		Secretary of State.		Treasurer.		Auditor of public accounts.		Attorney General.		Superintendent of public instruction.	
	Ben. G. Humphries.	B. B. Eggleston.	Kinloch Falconer.	Andrew J. Jamison.	J. L. McCaskill.	Rob't J. Alcorn.	A. P. Slover.	D. McA. Williams.	Thos. T. Swann.	Wm. J. Morgan.	C. E. Hooker.	J. S. Morris.	D. P. Bestor.	Chas. W. Clark.
Adams.....	829	2,937	829	2,934	828	2,937	827	2,936	829	2,934	828	2,936	829	2,936
Amite.....	1,083	229	1,083	229	1,083	229	1,083	229	1,083	229	1,083	229	1,083	229
Attala.....	964	990	956	991	955	990	955	991	957	991	956	991	955	990
Bollivar.....	164	1,069	164	1,069	165	1,068	164	1,069	164	1,045	164	1,069	164	1,069
Calhoun.....	988	98	988	98	987	98	988	96	988	96	988	98	988	91
Carroll.....	2,723	275	2,720	275	2,721	275	2,721	275	2,722	275	2,722	275	2,721	275
Chickasaw.....	1,799	931	1,793	963	1,794	962	1,794	962	1,794	962	1,796	962	1,794	962
Coalhoma.....	114	864	114	864	114	864	114	864	114	864	114	864	114	864
Choctaw.....	1,085	277	1,090	277	1,089	277	1,089	277	1,090	277	1,090	277	1,090	277
Claiborne.....	663	1,697	664	1,697	664	1,697	664	1,697	664	1,697	664	1,697	664	1,697
Clark.....	835	993	835	993	835	993	835	993	835	993	835	993	835	993
Covington.....	429	93	429	93	431	93	428	93	428	93	425	93	426	93
Copiah.....	2,504	566	2,505	565	2,505	566	2,505	566	2,505	567	2,507	565	2,504	567
Davis.....	234	132	234	132	234	132	234	132	234	132	234	132	217	132
De Soto.....	2,166	413	2,166	413	2,166	413	2,166	413	2,166	413	2,166	413	2,166	413
Franklin.....	756	197	756	197	756	197	756	197	756	197	756	197	756	197
Green.....	131	59	131	59	131	59	129	59	130	59	129	59	131	59
Hancock.....	396	143	389	143	389	143	387	143	386	143	386	143	384	143
Harrison.....	431	231	431	231	431	231	431	231	431	231	431	231	431	231
Hinds.....	2,045	2,870	2,040	2,870	2,040	2,870	2,040	2,870	2,037	2,870	2,039	2,870	2,040	2,870
Holmes.....	1,196	1,794	1,193	1,793	1,193	1,783	1,193	1,784	1,195	1,784	1,195	1,792	1,193	1,794
Itasca.....	104	1,057	104	1,057	104	1,057	104	1,057	104	1,057	104	1,057	104	1,057
Itavamba.....	684	160	684	160	696	159	696	159	697	159	697	159	697	159
Jackson.....	383	123	383	123	383	123	383	123	383	123	383	123	383	123
Jasper.....	1,001	397	1,001	396	1,001	305	1,001	305	1,001	305	1,001	305	1,001	298
Jefferson.....	652	1,672	648	1,672	651	1,672	651	1,672	651	1,672	651	1,672	652	1,672
Kemper.....	959	1,008	960	1,008	958	1,009	958	1,009	959	1,008	956	1,009	960	1,008
Lafayette.....	1,887	297	1,887	297	1,887	297	1,889	297	1,891	297	1,890	297	1,890	297
Lauderdale.....	1,318	1,319	1,357	1,321	1,357	1,320	1,159	1,318	1,358	1,318	1,357	1,332	1,357	1,320
Lawrence.....	967	501	963	501	963	501	964	501	964	501	964	501	964	501
Leake.....	720	475	716	475	717	475	717	475	717	475	717	475	716	475
Lee.....	1,881	145	1,894	136	1,897	146	1,894	146	1,885	147	1,905	147	1,896	144
Lewis.....	1,890	3,229	1,890	3,229	1,890	3,229	1,978	3,229	1,989	3,229	1,980	3,229	1,890	3,229
Madison.....	1,182	2,055	1,189	2,055	1,189	2,055	1,175	2,055	1,186	2,055	1,189	2,055	1,189	2,055

Marion	314	273	315	273	315	273	315	273	315	273	315	273	315	273
Marshall	2,279	1,586	2,280	1,586	2,279	1,586	2,280	1,586	2,280	1,586	2,280	1,586	2,280	1,586
Monroe	1,756	2,067	1,756	2,067	1,756	2,067	1,756	2,067	1,756	2,067	1,756	2,067	1,756	2,067
Neshoba	541	170	539	170	541	170	541	170	541	170	541	170	539	170
Newton	1,179	101	1,179	101	1,179	101	1,179	101	1,179	101	1,179	101	1,179	101
Noxubee	1,300	2,978	1,300	2,978	1,299	2,978	1,299	2,978	1,300	2,978	1,299	2,978	1,299	2,978
Oktibbeha	993	1,257	993	1,257	993	1,257	994	1,256	994	1,256	993	1,256	995	1,256
Panola	1,568	1,502	1,568	1,502	1,568	1,502	1,568	1,502	1,568	1,502	1,568	1,502	1,568	1,502
Perry	228	31	228	31	226	13	226	30	226	13	226	12	226	13
Pontotoc	920	704	920	700	918	700	920	703	920	699	921	701	919	702
Pike	1,190	511	1,188	511	1,189	511	1,189	511	1,187	511	1,189	510	1,184	510
Rankin	1,843	179	1,843	177	1,841	178	1,843	178	1,842	179	1,842	179	1,843	178
Scott	911	291	911	291	911	291	911	291	911	291	911	291	910	291
Simpson	680	49	680	49	680	49	680	49	680	49	680	49	680	49
Smith	819	2	820	2	820	2	820	2	819	2	820	2	819	2
Sunflower	301	374	301	374	301	374	301	374	301	374	301	374	301	374
Tallahatchie	1,029	196	1,028	196	1,028	196	1,028	196	1,028	196	1,028	196	1,028	196
Tipah	1,615	189	1,616	187	1,617	186	1,614	186	1,617	187	1,616	187	1,616	186
Tishomingo	1,823	430	1,820	436	1,802	433	1,800	432	1,814	432	1,819	430	1,805	432
Tunica	114	493	114	493	93	495	94	493	110	492	94	493	94	493
Wayne	219	392	218	392	218	392	218	392	219	392	219	392	218	392
Warren	1,312	4,849	1,312	4,849	1,312	4,849	1,311	4,849	1,312	4,849	1,312	4,849	1,311	4,849
Washington	251	2,733	246	2,733	246	2,733	246	2,733	247	2,733	245	2,733	242	2,733
Wilkinson	623	2,179	624	2,178	624	2,179	624	2,177	624	2,178	624	2,178	624	2,178
Winston	762	436	761	437	761	436	761	436	762	437	762	437	761	436
Yallahusha	1,961	932	1,961	932	1,961	932	1,955	932	1,960	932	1,961	932	1,961	932
Yazoo	1,490	1,816	1,490	1,816	1,490	1,816	1,490	1,816	1,490	1,816	1,490	1,816	1,490	1,816
Total	63,321	55,250	63,397	56,038	63,271	55,939	62,133	55,946	71,298	55,893	63,634	55,843	62,826	56,215

## EXTRA CANDIDATES.

County.	Governor.			Sec. State.	Treasurer.				Auditor.		Att'y Gen'l.	Supt. public instruction.
	Geo. Wells.	G. W. Twilley.	B. J. Humphries.	C. E. Hooker.	Peter Brown.	J. H. Echols.	M. B. McMicken.	A. Y. Slover.	D. McA. Williams.	Peter Brown.	J. S. Morgan.	D. P. Preston.
Amite .....	1											
Lauderdale .....		1						198	1			
Hancock .....			3	19								
Tunica .....					5					1		
Yallobusha .....						1	1				1	
Madison .....												17
Perry .....												
Davis .....												
Total .....	1	1	3	19	5	1	1	198	1	1	1	17

## RECAPITULATION OF STATE OFFICERS.

*For governor.*

Benjamin G. Humphries .....	63,321
B. B. Eggleston .....	55,250
George Wells .....	1
G. W. Twilley .....	1
B. J. Humphries .....	3
Majority for Humphries, 8,071.	

*For lieutenant governor.*

Kinlock Falconer .....	63,397
Andrew J. Jamison .....	56,038
Majority for Falconer, 7,359.	

*For secretary of state.*

J. L. McCaskill .....	63,271
Robert J. Alcorn .....	55,939
C. E. Hooker .....	19
Majority for McCaskill, 7,332.	

*For treasurer.*

A. P. Slover .....	62,133
D. McA. Williams .....	55,946
Peter Brown .....	5
J. H. Echols .....	1
W. B. McMicken .....	1
A. Y. Slover .....	198
Majority for Slover, 6,187.	

*For auditor public accounts.*

Thomas T. Swann .....	71,296
William J. Morgan .....	55,893
D. McA. Williams .....	1
Peter Brown .....	1
Majority for Swann, 15,403.	

*For attorney general.*

C. E. Hooker.....	63,664
J. S. Morris.....	55,846
J. S. Morgan.....	1
Majority for Hooker, 7,794.	

*For superintendent public instruction.*

D. P. Bestor.....	62,826
Charles W. Clarke.....	56,212
D. P. Preston.....	17
Majority for Bestor, 6,611.	

*State legislature.*

County.	Democratic candidate.	Vote.	Republican candidate.	Vote.
Warren, (five to be elected.)	C. B. Allen .....	1,308	Chas. A. Foster.....	4,846
	F. L. Gusio .....	1,308	Albert Johnson.....	4,845
	J. A. Merritt.....	1,307	Chas. P. Head .....	4,844
	L. B. Reid.....	1,308	Benj. Leas.....	4,837
	W. M. Williams.....	1,314	John T. Rankin .....	4,843
	G. W. Walton .....	2	H. J. Sanderson.....	1
Hinds, (four to be elected.)	S. M. Shelton.....	2,042	John R. Parsons.....	2,865
	U. W. Moffitt.....	2,040	Chas. Caldwell.....	2,866
	E. W. Cabannis.....	2,036	Chas. F. Norris .....	2,866
	L. W. Caraway.....	2,041	H. F. Fisher .....	2,867
Lowndes, (four to be elected.)	C. F. Sherrod.....	1,996	Wm. B. Heathcock ..	3,226
	W. H. Perkins.....	1,991	A. J. Eggleston .....	3,228
	Jas. C. Neilson.....	1,993	D. S. Wallace.....	3,228
	Jas. N. Stevens.....	1,993	Robert Glud.....	3,230
	F. M. Glass .....	947	J. M. Thompson.....	993
Attala, (two to be elected.)	J. Matt Davis.....	946	Jason Niles .....	1,021
Chickasaw, (two to be elected.)	W. J. Lacy.....	1,795	Austin Pollard.....	977
Choctaw, (two to be elected.)	J. W. Whitmore .....	1,792	F. M. Abbott.....	971
Claiborne, (two to be elected.)	J. N. Campbell .....	1,081	R. C. Johnson .....	275
	E. H. Reid .....	1,088	N. B. Bridges .....	276
Copiah, (two to be elected.)	L. M. Baldwin.....	665	E. H. Stiles .....	1,696
	P. C. Hall.....	665	Nathan Newsam .....	1,696
Jefferson, (two to be elected.)	J. M. K. Alford.....	2,489	Samuel P. Harvey.....	573
	John Gilchrist.....	2,487	Emanuel Handy.....	591
Lafayette, (two to be elected.)	P. K. Whitney.....	649	Orange S. Miles .....	1,672
	C. A. Wright .....	646	DeClifford Kearns ..	1,675
Lauderdale, (two to be elected.)	G. D. Fer .....	1,871	Robert Stockard .....	293
	W. H. Graham.....	1,845	Calvin Hunter.....	288
	Joseph Taylor .....	1	Calvin Hill.....	3
Pontotoc, (two to be elected.)	Aplin Sloan.....	1,319	J. N. Rhodes.....	1,162
	J. Aaron Moore.....	1,318	J. W. Yarborough ..	1,158
	J. B. Yarborough .....	197	R. N. Rhodes .....	182
Tippah, (two to be elected.)	Thos. T. Herring.....	874	J. L. Bell.....	581
	J. L. Morphis.....	846	E. Browning.....	49
	J. S. Swofford.....	805	B. T. Rosemand.....	4
Wilkinson, (two to be elected.)	W. R. Rainey.....	992	Wm. Tellis.....	2
	Tom Gillespie.....	991	J. R. Naron.....	1,251
	M. C. Brady.....	1,572	George H. Holland.....	1,250
Yallobusha, (two to be elected.)	B. H. Pope.....	1,545	A. W. Patton.....	1,495
	W. S. Harris.....	11	Landy Allen .....	1,543
Yallobusha, (two to be elected.)	E. N. Hunt.....	1,612	H. F. Lipford .....	182
	H. F. Wells.....	1,581	Thos. Maddox.....	187
Yallobusha, (two to be elected.)	Vincent Row .....	616	John J. Cage.....	2,150
	Levi L. Babus.....	605	Jas. M. Griffin.....	2,102
Yallobusha, (two to be elected.)	M. K. Mister.....	1,954	Jas. B. Townsend ..	936
	John T. Garner .....	1,951	Chas. C. Walden .....	929
			J. T. Fox.....	2

*State legislature—Continued.*

County.	Democratic candidate.	Vote.	Republican candidate.	Vote.
Tishomingo, (two to be elected.)	Thos. A. Blair .....	1,731	B. B. Boon .....	543
Rankin, (two to be elected.)	Pleasant Bearden .....	1,778	B. F. Williams .....	522
Adams, (three to be elected.)	E. H. Reter .....	1,781	John C. Briason .....	374
	Hiram Jones .....	1,682	Cyrus Meyers .....	283
	Jesse Andrews .....	829	Frederick Parsons .....	2,935
	E. George De Lass .....	824	Henry B. Jacobs .....	2,936
	J. S. King .....	821	Jere. M. P. Williams .....	2,934
Carroll, (three to be elected.)	Geo. S. McNamara .....	2,714	George Stovail .....	273
	W. L. Oury .....	2,712	Walter Gould .....	272
	J. Ramsey Higgle .....	2,711	Laurence Riley .....	273
De Soto, (three to be elected.)	Chas. H. Robertson .....	2,163	Theodore Wiseman .....	413
	B. P. Renfroe .....	2,162	E. J. Lipsey .....	413
	Joel P. Walker .....	2,158	R. J. Dowdy .....	413
Holmes, (three to be elected.)	J. E. Gwin .....	1,195	Sampson Batters .....	1,780
	T. G. Gooch .....	1,197	Albert G. Packer .....	1,778
	J. S. Bell .....	1,191	John F. House .....	1,792
Madison, (three to be elected.)	T. Jeff Gee .....	1,188	W. Ben Cunningham .....	2,055
	T. Holliday .....	1,190	John A. Bingham .....	2,055
	Richard Duckett .....	1,189	Amos Draine .....	2,055
Marshall, (three to be elected.)	W. L. Treadwell .....	2,279	A. C. McDonald .....	1,586
	A. F. Moore .....	2,279	C. E. Holman .....	1,543
	W. C. Regnus .....	2,278	Chas. Drake .....	1,580
			G. Gill .....	1
Monroe, (three to be elected.)	E. H. Bristol .....	1,750	Jos. B. Woodmansee .....	2,062
	J. J. Caruthers .....	1,746	Jas. Elliott .....	2,064
	Jas. Riley .....	1,744	John B. Goodlad .....	2,058
Noxubee, (three to be elected.)	Elisha Desmickes .....	1,332	Isham Stewart .....	2,935
	Clark Lewis .....	1,293	Nathan McNees .....	2,963
	J. R. Sparkman .....	1,290	Egbert Moore .....	2,924
	J. Chappelle .....	1		
	J. Moore .....	1		
Washington, (three to be elected.)	H. T. Irish .....	1	William Brown .....	2,732
	J. C. Estelle .....	1	Dr. Stiles .....	2,732
	Julius Thomas .....	1	William Gray .....	2,731
	Sam Stewart .....	2	William T. Combash .....	4
	James M. McNeil .....	1	Jos. M. Collins .....	1
Yazoo, (three to be elected.)	Edward Drenning .....	1,476	Albert T. Morgan .....	1,814
	Elisha Pepper .....	1,470	Freeman E. Franklin .....	1,814
	Thomas R. Holman .....	1,463	William H. Foote .....	1,814
	G. J. Quinn .....	2	Mark Woefoek .....	12
	T. G. Gooch .....	2	A. Perkins .....	12
	J. S. Bell .....	2	Nelson Sharp .....	12
Amite, (one to be elected.)	Rob't E. Poindexter .....	1,083	J. B. Lott .....	225
Bolivar, (one to be elected.)	Oscar McDaniel .....	135	Jos. R. Webster .....	1,077
Calhoun, (one to be elected.)	Scattering .....	3		
	J. L. Lyon .....	985	J. G. Ryan .....	98
Clark, (one to be elected.)	R. D. Meems .....	835	Henry Musgrove .....	992
Franklin, (one to be elec ed.)	Hiram Cassidy, jr. ...	756	William R. Magee .....	197
Issaquena, (one to be elected.)	Frank W. Anderson .....	104	Henry P. Fox .....	1,056
Itawamba, (one to be elected.)	W. Davis .....	687	J. J. Conwell .....	160
Jasper, (one to be elected.)	Duncan A. Little .....	1,001	William Newman .....	445
			W. B. McKnight .....	7
			A. E. Gray .....	1
Kemper, (one to be elected.)	Dr. A. M. Chamberlain .....	965	Moses G. Hullford .....	1,008
Lawrence, (one to be elected.)	P. R. Fleeman .....	957	Wesley Lawson .....	506
			Beal .....	1

*State legislature—Continued.*

County.	Democratic candidate.	Vote.	Republican candidate.	Vote.
Leake, (one to be elected.)	Seth A. Baker .....	711	Benj. P. Crabb .....	483
Lee, (one to be elected.)	John Allen .....	1,920		
Pike, (one to be elected.)	S. E. Packwood .....	1,194	Peres Bonny .....	501
Sunflower, (one to be elected.)	John J. Garrett .....	301	D. N. Quinn .....	374
Scott, (one to be elected.)	Roderick R. Moore ..	912	Reuben Gunn .....	288
Tallahatchie, (one to be elected.)	B. P. Crabb .....	2	William A. Alcorn ..	866
Winston, (one to be elected.)	B. F. Avent .....	700	W. L. Stricklin .....	1
			George H. Porter ..	525
Simpson, (one to be elected.)	James M. Davis ....	447	Gideon W. Carlisle..	753
Coahoma, (one to be elected.)	L. M. Dampier .....	680	Samuel P. Harvey...	2
Tunica, (one to be elected.)	Thomas B. Glenn ....	105	Emanuel Handy .....	2
	W. P. Magee .....	2	William A. Alcorn ..	866
Newton, (one to be elected.)	J. M. Phillips .....	112	M. J. Manning .....	493
Neshoba, (one to be elected.)	Thomas Keith .....	1,177	A. E. Gray .....	115
Covington, (one to be elected.)	James A. Hester ....	538	P. F. Morehead .....	170
Smith, (one to be elected.)	D. B. McInnis .....	430	H. A. McLead .....	97
Wayne, (one to be elected.)	L. T. Fitzhugh .....	818		
Daris, (one to be elected.)	J. A. Weatherbee ...	221	William Zeaman ....	387
Green, (one to be elected.)	V. A. Collins .....	234	B. A. Matthews ....	132
Jackson, (one to be elected.)	F. M. Backstrom ....	124	John McInnis .....	63
Hancock, (one to be elected.)	M. E. Butt .....	308	L. N. Dantzler .....	75
	D. B. Seal .....	247	P. J. Harvey .....	212
	J. J. Seal .....	2	W. J. Harvey .....	1
			John H. Nicholson ..	11
Marion, (one to be elected.)	Thomas S. Ford .....	317	Jesse Johnson .....	251
Harrison, (one to be elected.)	J. M. Bradfora .....	431	B. H. Orr .....	331
Perry, (one to be elected.)	M. E. Butt .....	1	J. W. Birdlove .....	1
	J. P. Carter .....	225	W. Jones .....	45

*Recapitulation of State legislature.*

## PERSONS ELECTED.

Chas. A. Foster.  
 Albert Johnson.  
 Chas. P. Head.  
 Benj. Leas.  
 Jno. T. Rankin.  
 Jno. R. Parsons.  
 Chas. Caldwell.  
 Chas. F. Norris.  
 H. T. Fisher.  
 Wm. B. Heathcock.  
 A. J. Eggleston.

D. S. Wallace.  
 Robt. G. Ud.  
 J. M. Thompson.  
 Jason Niles.  
 W. J. Lacey.  
 J. W. Whitmore.  
 J. N. Campbell.  
 E. H. Reid.  
 E. H. Stines.  
 Nathan Newsome.  
 J. M. K. Alford.

Jno. Gilchrist.  
 Orange S. Miles.  
 De Clifford Kearns.  
 G. D. Fer.  
 J. R. Naron.  
 Geo. H. Holland.  
 M. C. Brady.  
 B. H. Pope.  
 E. N. Hunt.  
 H. F. Wells.  
 Jno. J. Cage.



Jas. M. Griffin.  
M. K. Winter.  
Jno T. Ganer.  
Thos. A. Blair.  
Pleasant Readon.  
E. H. Reeter.  
Hiram Jones.  
Frederick Parsons.  
Henry P. Jacobs.  
Jeremiah M. P. Williams.  
Geo. S. McNamara.  
W. L. Ourry.  
J. Ramsey Heggie.  
Chas. R. Robertson.  
B. P. Renfroe.  
Joel P. Walker.  
Sampson Bottes.  
Albert G. Packer.  
Jno. T. House.  
M. C. Pegnes.  
J. B. Woodmansee.  
Jas. Elliott.  
Jno. B. Goodlad.  
Isham Stewart.  
Nathan McNees.

Egbert Moor.  
Wm. Brown.  
Doctor Stiles.  
Wm. Gray.  
Albert T. Morgan.  
Freeman E. Franklin.  
W. H. Foote.  
Rob't E. Poindexter.  
Jos. R. Wesbeter.  
J. L. Lyon.  
Henry Musgrove.  
Hiram Cassiday.  
Henry P. Fox.  
W. Davis.  
Duncan A. Little.  
Moses G. Holland.  
P. R. Fleeman.  
Seth A. Baker.  
Jno. Allen.  
S. E. Packwood.  
W. H. Graham.  
Alpin Sloan.  
J. Aaron Moore.  
Thos. T. Herring.  
J. L. Morphis.

W. A. Alcorn.  
Jas. A. Hester.  
Wm. Zeaman.  
M. E. Butt.  
J. M. Bradford.  
W. Ben. Cunningham.  
Jno. A. Bingham.  
Amos Draine.  
W. L. Treadwell.  
A. F. Moore.  
M. J. Manning.  
D. B. McInnis.  
V. A. Collins.  
D. B. Seal.  
J. P. Carter.  
D. N. Quinn.  
R. R. Moore.  
B. F. Avent.  
Gideon W. Carlisle.  
L. M. Dampier.  
Thos. Keith.  
L. J. Fitzhugh.  
F. M. Blackstone.  
Thos. S. Ford.

*State senate.*

County.	Candidate.	Vote.	Candidate.	Vote.
<i>1st district.</i>				
Hancock.....	J. J. Seal.....	143	R. Senate.....	1
	D. B. Seal.....	2		
Harrison.....	R. Seal.....	211		
	J. J. Seal.....	222	C. F. Johnson.....	230
	R. Seal.....	210		
Jackson.....	R. Seal.....	323	C. F. Johnson.....	119
	J. J. Seal.....	10		
Marion.....	R. Seal.....	305	C. F. Johnson.....	3
	Orr.....	17		
Greene.....	R. Seal.....	131	C. F. Johnson.....	40
Perry.....	R. Seal.....	228	C. F. Johnson.....	13
<i>2d district.</i>				
Wilkinson.....	Thomas P. Street.....	624	W. H. Gibbs.....	2,177
Amite.....	Thomas P. Street.....	1,090	W. H. Gibbs.....	227
<i>3d district.</i>				
Pike.....	D. W. McInnis.....	1,190	R. G. W. Jewell....	511
Lawrence.....	D. W. McInnis.....	963	R. G. W. Jewell....	501
Covington.....	D. W. McInnis.....	433	R. G. W. Jewell....	93
<i>4th district.</i>				
Adams.....	Wm. H. Watkins....	830	Edw. J. Costello....	2,935
<i>5th district.</i>				
Franklin.....	Ely R. Jones.....	756	Abel Alderson.....	197
Jefferson.....	Ely R. Jones.....	653	Abel Alderson.....	1,671
<i>6th district.</i>				
Claiborne.....	James H. Maury....	661	Wm. M. Deason....	1,695
Copiah.....	James H. Maury....	2,505	Wm. M. Deason....	663

*State senate—Continued.*

County.	Candidate.	Vote.	Candidate.	Vote.
<i>7th district.</i>				
Warren .....	D. McCaleb .....	1,309	Alston Mygatt .....	4,849
	J. C. Hull .....	1,310	Thos. W. Stringer .....	4,844
Issaqueña .....	D. McCaleb .....	104	Alston Mygatt .....	1,057
	J. C. Hull .....	104	Thos. W. Stringer .....	1,057
<i>8th district.</i>				
Hinds .....	T. J. Catchings .....	2,041	Elijah A. Peyton .....	2,868
	D. Shelton .....	2,041	James Lynch .....	2,868
Rankin .....	D. Shelton .....	1,840	Elijah A. Peyton .....	178
	T. J. Catchings .....	1,843	James Lynch .....	179
Simpson .....	T. J. Catchings .....	680	Elijah A. Peyton .....	47
	D. Shelton .....	679	James Lynch .....	47
			Wm. M. Deason .....	2
<i>9th district.</i>				
Davis .....	S. T. Street .....	234	W. V. McKnight .....	132
Jasper .....	S. T. Street .....	1,000	W. V. McKnight .....	446
	Jas. Martin .....	1		
Clerk .....	S. T. Street .....	835	W. V. McKnight .....	992
Wayne .....	S. T. Street .....	220	W. V. McKnight .....	391
<i>10th district.</i>				
Lauderdale .....	W. W. Sheaver .....	1,355	Robt. J. Morely .....	1,320
Kemper .....	W. W. Sheaver .....		Robt. J. Morely .....	1,008
			J. R. Morely .....	1
<i>11th district.</i>				
Newton .....	J. B. Blackwell .....	1,179	Jos. Martin .....	114
Smith .....	J. B. Blackwell .....	820	Jos. Martin .....	2
Scott .....	J. B. Blackwell .....	910	Jos. Martin .....	289
	S. C. Conly .....	2		
<i>12th district.</i>				
Madison .....	Wm. McBride .....	1,189	A. Warner .....	2,055
<i>13th district.</i>				
Yazoo .....	Jos. R. Hall .....	1,488	Chas. E. Morgan .....	1,816
	Dr. W. H. Williams .....	2		
<i>14th district.</i>				
Washington .....	Horace L. Smith .....	11	C. E. P. Johnson .....	2,730
			W. T. Combash .....	157
Sunflower .....	Horace L. Smith .....	301	C. E. P. Johnson .....	93
			W. T. Combash .....	278
<i>15th district.</i>				
Holmes .....	W. H. Williams .....	1,197	H. W. Barry .....	1,788
<i>16th district.</i>				
Attala .....	Raymond Reid .....	958	S. C. Conly .....	995
Leak .....	R. Reid .....	717	S. C. Conly .....	475
Neshoba .....	R. Reid .....	541	S. C. Conly .....	170

*State senate—Continued.*

County.	Candidate.	Vote.	Candidate.	Vote.
<i>17th district.</i>				
Noxubee .....	T. J. Reid .....	186	N. J. Chappelle.....	2,773
	Sim. Orr.....	1,300		
<i>18th district.</i>				
Lowndes .....	Fred. Beall .....	1,990	Horner C. Powers ..	3,230
	L. A. Fort.....	1,993	Joshua Stallings....	3,230
Oktibbeha .....	L. A. Fort.....	988	Horner C. Powers ..	1,252
	Fred. Beall .....	989	Joshua Stallings....	1,253
<i>19th district.</i>				
Choctaw <sup>1</sup> .....	Joseph McBryde ....	277	T. W. Castles .....	1,085
Winston .....	Joseph McBryde ....	442	T. W. Castles .....	761
<i>20th district.</i>				
Carroll .....	W. L. Hemmingway ..	2,717	Thos. L. White.....	273
<i>21st district.</i>				
Calhoun .....	John H. Wilson.....	986	Jere L. Davis .....	98
Yallobusha .....	John H. Wilson....	1,959	Jere L. Davis .....	934
<i>22d district.</i>				
Chickasaw .....	M. M. Cummings ...	1,794	R. M. Tindall .....	975
	J. S. Chancellor.....	1,792	J. L. Herbert.....	971
Monroe .....	M. M. Cummings ...	1,744	J. L. Herbert.....	2,067
	J. S. Chancellor.....	1,746	R. M. Tindall .....	2,069
<i>23d district.</i>				
Bolivar .....	J. M. Phillips.....	21	A. S. Dowd.....	1,071
	C. R. Mayson.....	142		
Coahoma .....	C. R. Mayson.....	114	A. S. Dowd.....	865
Tunica .....	C. R. Mason.....	115	A. S. Dowd.....	492
<i>24th district.</i>				
Panola .....	W. L. Copewood ....	1,569	U. Ozaune .....	1,502
Tallahatchie .....	W. L. Copewood....	1,029	U. Ozaune .....	196
<i>25th district.</i>				
De Soto .....	Larkin W. Echols....	2,166	Horatio N. Ballard..	413
<i>26th district.</i>				
Marshall .....	Henry M. Payne ....	2,279	Nelson G. Gill .....	1,582
			Charles Drake.....	1
<i>27th district.</i>				
Lafayette .....	L. W. Gabbert.....	1,890	Claram Cullum.....	296
Panotoc .....	L. W. Gabbert.....	881	C. Cullum.....	698
<i>28th district.</i>				
Tishomingo .....	R. B. Avery .....	1,608	Terry Dalton .....	112
	F. E. Whitfield .....	516	J. M. Norment.....	1
Itawamba.....	R. B. Avery .....	688	F. E. Whitfield.....	150
<i>29th district.</i>				
Tippah .....	C. O. Slover .....	1,581	D. B. Rowland .....	184
			J. P. Potter .....	34
			W. P. Orme .....	4
Lee .....	C. O. Slover .....	197	J. P. Potter .....	1,675
			W. P. Orme.....	194

*Recapitulation of State senate.*

## PERSONS ELECTED.

R. Seal.  
W. H. Gibbs.  
D. W. McInnis.  
Edward J. Costello.  
Abel Alderson.  
James H. Maury.  
Alston Mygatt.  
Thomas W. Stringer.  
Thomas J. Catchings.  
David Shelton.  
S. F. Street.

Robert J. Morely.  
J. B. Blackwell.  
A. Warner.  
Charles E. Morgan.  
C. E. P. Johnson.  
H. W. Barry.  
Raymond Reid.  
N. J. Chappelle.  
Horner C. Powers.  
Thomas W. Castles.  
W. L. Hemingway.

John H. Wilson.  
M. M. Cummings.  
J. S. Chancellor.  
A. S. Dowd.  
W. L. Copewood.  
Larkin W. Echols.  
Henry M. Payne.  
L. W. Gabbert.  
R. B. Avery.  
C. O. Slover.  
Joshua Stallings.

*Members of Congress.*

County.	Candidate.	Vote.	Candidate.	Vote.
<i>First district.</i>				
Tishomingo .....	C. H. Townsend .....	1,363	J. S. Wofford .....	481
Tippah .....	C. H. Townsend .....	1,549	J. S. Wofford .....	188
Marshall .....	C. H. Townsend .....	2,277	J. S. Wofford .....	1,586
De Soto .....	C. H. Townsend .....	2,162	J. S. Wofford .....	413
Tunica .....	C. H. Townsend .....	113	J. S. Wofford .....	490
Coahoma .....	C. H. Townsend .....	111	J. S. Wofford .....	862
Panola .....	C. H. Townsend .....	1,566	J. S. Wofford .....	1,509
Lafayette .....	C. H. Townsend .....	1,883	J. S. Wofford .....	294
		11,029		5,823
<i>Second district.</i>				
Pontotoc .....	T. N. Martin .....	887	Jehial Railsback .....	704
Lee .....	T. N. Martin .....	1,932	Jehial Railsback .....	100
Itawamba .....	T. N. Martin .....	698	Jehial Railsback .....	159
Monroe .....	T. N. Martin .....	1,755	Jehial Railsback .....	2,067
Chickasaw .....	T. N. Martin .....	1,792	Jehial Railsback .....	971
Calhoun .....	T. N. Martin .....	986	Jehial Railsback .....	98
Yalobusha .....	T. N. Martin .....	1,960	Jehial Railsback .....	932
Tallahatchie .....	T. N. Martin .....	1,029	Jehial Railsback .....	196
Sunflower .....	T. N. Martin .....	301	Jehial Railsback .....	372
Bolivar .....	T. N. Martin .....	164	Jehial Railsback .....	1,069
		11,504		6,668
<i>Third district.</i>				
Carroll .....	Charles A. Sullivan .....	273	G. P. M. Turner .....	2,389
Choctaw .....	Charles A. Sullivan .....	275	G. P. M. Turner .....	1,089
Oktibbeha .....	Charles A. Sullivan .....	1,254	G. P. M. Turner .....	990
Lowndes .....	Charles A. Sullivan .....	3,230	G. P. M. Turner .....	1,990
Noxubee .....	Charles A. Sullivan .....	2,974	G. P. M. Turner .....	1,302
Winston .....	Charles A. Sullivan .....	437	G. P. M. Turner .....	760
Atala .....	Charles A. Sullivan .....	986	G. P. M. Turner .....	949
Leake .....	Charles A. Sullivan .....	475	G. P. M. Turner .....	713
Neshoba .....	Charles A. Sullivan .....	170	G. M. P. Turner .....	541
Kemper .....	Charles A. Sullivan .....	1,007	G. M. P. Turner .....	959
		11,081		10,181

*Members of Congress—Continued.*

County.	Candidate.	Vote.	Candidate.	Vote.
<i>Fourth district.</i>				
Washington.....	G. L. Potter.....	237	George C. McKee...	2,721
Holmes.....	G. L. Potter.....	1,194	George C. McKee...	1,792
Madison.....	G. L. Potter.....	1,183	George C. McKee...	2,055
Yazoo.....	G. L. Potter.....	1,489	George C. McKee...	1,817
Issaquena.....	G. L. Potter.....	104	George C. McKee...	1,057
Warren.....	G. L. Potter.....	1,313	George C. McKee...	4,848
Hinds.....	G. L. Potter.....	2,042	George C. McKee...	2,870
Rankin.....	G. L. Potter.....	1,844	George C. McKee...	178
Scott.....	G. L. Potter.....	912	George C. McKee...	288
Newton.....	G. L. Potter.....	1,179	George C. McKee...	114
Clark.....	G. L. Potter.....	835	George C. McKee...	992
Jasper.....	G. L. Potter.....	1,001	George C. McKee...	390
Smith.....	G. L. Potter.....	823	George C. McKee...	2
Landerdale.....	G. L. Potter.....	1,354	George C. McKee...	1,320
		15,510		20,444
<i>Fifth district.</i>				
Simpson.....	William T. Martin...	679	L. W. Perce.....	49
Copiah.....	William T. Martin...	2,502	L. W. Perce.....	566
Claiborne.....	William T. Martin...	664	L. W. Perce.....	1,697
Jefferson.....	William T. Martin...	652	L. W. Perce.....	1,672
Adams.....	William T. Martin...	827	L. W. Perce.....	2,936
Franklin.....	William T. Martin...	756	L. W. Perce.....	197
Lawrence.....	William T. Martin...	963	L. W. Perce.....	501
Covington.....	William T. Martin...	431	L. W. Perce.....	93
Davis.....	William T. Martin...	234	L. W. Perce.....	132
Wayne.....	William T. Martin...	218	L. W. Perce.....	385
Greene.....	William T. Martin...	130	L. W. Perce.....	59
Perry.....	William T. Martin...	224	L. W. Perce.....	13
Marion.....	William T. Martin...	315	L. W. Perce.....	273
Pike.....	William T. Martin...	1,189	L. W. Perce.....	510
Anite.....	William T. Martin...	1,086	L. W. Perce.....	228
Wilkinson.....	William T. Martin...	623	L. W. Perce.....	2,179
Hancock.....	William T. Martin...	381	L. W. Perce.....	143
Harrison.....	William T. Martin...	431	L. W. Perce.....	231
Jackson.....	William T. Martin...	383	L. W. Perce.....	122
		12,688		11,986

*Recapitulation of Congressmen.*

## PERSONS ELECTED.

First district.....	C. H. Townsend.
Second district.....	T. N. Martin.
Third district.....	Charles A. Sullivan.
Fourth district.....	George C. McKee.
Fifth district.....	William T. Martin.

The foregoing table shows that there were cast for the constitution 56,231 votes; against the constitution 63,860 votes; and therefore there is a majority of 7,629 votes against the constitution.

That in the 1st congressional district Charles H. Townsend received 11,029 votes; Jefferson S. Woffard received 5,823 votes; majority for Charles H. Townsend, 5,206 votes.

That in the 2d congressional district T. N. Martin received 11,504 votes; Jehial Railback received 6,668 votes; majority for T. N. Martin, 4,836 votes.

That in the 3d congressional district C. A. Sullivan received 11,081 votes; G. P. M. Turner received 10,181 votes; majority for C. A. Sullivan, 900 votes.

That in the 4th congressional district George C. McKee received 20,444 votes; George L. Potter received 15,510 votes; majority for George C. McKee, 4,934 votes.

That in the 5th congressional district W. T. Martin received 12,688 votes; L. W. Perce received 11,986 votes; majority for W. T. Martin, 702 votes.

The foregoing table also exhibits the result of the election for State officers and members of the legislature, (senators and representatives.)

As is generally the case in elections, fraud is charged by both parties. All reports and complaints bearing on the subject are herewith transmitted for the consideration of the proper authority, merely remarking that I am satisfied the election was as fair and free from intimidation or the influence of fraud as it would be possible to secure under existing circumstances, and that no undue influence was exercised at the polls. If intimidation was used at all, it was beyond the power of the military to reach it.

As the defeat of the constitution renders it possible that the State may remain for a time under military control, I consider it my duty to call attention to the almost impossibility of finding persons to fill vacancies in civil offices who possess the necessary attainments, and who can qualify under existing laws. I would, therefore, recommend that section 9 of the act passed July 9, 1867, be so modified as to render eligible for office persons on the list of registered and qualified voters to fill vacancies which exist or may occur in civil offices, State or municipal.

I am, general, very respectfully, your obedient servant,

ALVAN C. GILLEM,

*Brevet Major Gen. U. S. A., Com'g Fourth Military Dist.*

Official copy respectfully furnished for the information of the honorable Secretary of War, in compliance with telegraphic order of November 27, 1867.

ALVAN C. GILLEM,

*Brevet Major Gen. U. S. A., Com'g Fourth Military Dist.*

General U. S. GRANT,

*Commanding Armies of the U. S., Washington, D. C.*

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## APPENDIX A.

### No. 1.

NOVEMBER 15, 1867.

GENERAL ORD: Enclosed you will find the rallying appeal of Captain Stricklin, candidate for convention, to the citizens of Tippah county.

This is the man who preached rebellion to the citizens of this county from the stump in 1860; that helped to rear a flag upon the cupola of the court-house at Ripley two months before the State seceded from the Union, the emblem of which was the rattlesnake in place of the eagle and the stars and stripes. That, when conscription grew hot throughout the country, ran off and went to Memphis as a refugee, took the oath of allegiance to the United States, stayed there a month or two and then ran off from that place and came back to Tippah county and raised a company for the confederate service which he called, in honor of the pol-

icy he had pursued, "The play-outs." That he had a fight this summer with Captain J. M. Jones, one of the board of registrars, and wanted to kill him because Jones was opposed to his registering after he had taken the oath of allegiance to the United States and then again had taken up arms against the government. That he said not three months ago that the President would pardon Jeff. Davis, and Mississippi would send him back to the Senate of the United States in less than five years.

This is the man whom the advocates of secession and rebellion have elected a delegate to the convention over two pure-hearted, upright, patriotic, honest men of this county, whose only crime was they loved the flag of their country better than they did disunion.

Yours, &c.,

RECONSTRUCTION.

---

SOUTHERN MEN, RALLY!

Go to your precinct and vote the conservative ticket. If you stay at home you will elect men who encouraged the burning of your houses, insults to your wives and your families, and the seizure and appropriation of your property; men who would have the property of all those who sympathized with the south in their late struggle for liberty confiscated for the purpose of paying the enormous debt of the government. Remember that every radical in the county will go to the polls and vote against us. It behooves us therefore to turn out to the polls as one man. Look at the fate of Tennessee, and beware that her condition shall not soon be yours.

Your fellow-citizen,

W. T. STRICKLIN.

A true copy:

NAT. WOLFE,

*Second Lieut. 34th Infantry, A. A. A. G.*

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No. 2.

RIPLEY, MISSISSIPPI, *December 28, 1867.*

MAJOR: I desire through you to submit to the general commanding, the following statement in reference to some charges that have recently been preferred against me at military headquarters.

I believe it would be wholly unnecessary for me to make any statement at all about this matter, if the character of the parties who preferred the charges against me was as well known to Major General Ord as it is to the citizens of this community. But to proceed:

1st. The mule which it was said I took from the negro because he refused to vote for me, was never the property of the negro, but was the property of Colonel J. A. Green, of Tupelo, Mississippi, for whom I was, and now am, agent and attorney. It had been levied on a few days before I took possession of it, by the sheriff of this county, as the property of Colonel Green, and was put in my custody on my undertaking that it should be forthcoming at the day of the sale; whereupon I turned it over to the negro to be kept until I called for or demanded it. I did demand it, and the negro gave it to me without propounding any claim to it theretofore or since. He sets up no claim to the mule, and to-day publicly confessed that it was the property of Colonel Green; this in

the presence of half a dozen of the most reputable gentlemen in the county.

In regard to the charge about whiskey, I am frank to confess that I did procure the key of a drinking saloon, and privately drew a bottle of spirits for my own use and not for electioneering purposes. This saloon was situated outside the corporate limits, more than a quarter of a mile from the precinct; was entered only once, and that by me alone, no other person being permitted entrance. I will conclude by saying that I have been noticing public affairs many years, and never witnessed a more quiet or orderly election than was held at Ripley, and other precincts of the county, for delegates to the convention, and never saw officers more prompt to discharge their duty in obedience to the order of the general commanding.

As to my character, permit me to refer to Colonel H. W. Walter, General A. S. Featherstone, J. W. C. Watson, esq., Major W. M. Strickland, Major E. W. Upshaw, Captain James Scruggs, and James Ford, at Holly Springs.

Very truly, your obedient servant,

W. T. STRICKLIN.

Major O. D. GREENE,  
*Assistant Adjutant General.*

A true copy:

NAT. WOLFE,  
*Second Lieut. 34th Infantry, A. A. A. G.*

No. 3.

RIPLEY, MISSISSIPPI, *December 28, 1868.*

MAJOR: We were present at the late election for delegates to the convention, held at this place, and state that for so public an occasion the people were unusually sober and quiet, and that the sheriff was vigilant and faithful, and used every necessary exertion to prevent riot or disorder.

DAVIS O. HAMMOND, *Attorney.*

W. R. COLE, *Merchant.*

WILLIAM CHEEK, *Mechanic.*

W. C. FALKNER, *Attorney.*

JOHN W. THOMPSON, *Attorney.*

A. BROWN, *Merchant.*

JAMES SIMPSON, *Merchant.*

A. J. SUGGS, *Merchant.*

MILTON YOUNG, *Postmaster.*

W. W. ROBINSON, *Probate Clerk.*

N. C. RUCKER, *Circuit Clerk.*

Major O. D. GREENE,  
*Assistant Adjutant General.*

A true copy:

NAT. WOLFE,  
*Second Lieut. 34th Infantry, A. A. A. G.*

No. 4.

RIPLEY, MISSISSIPPI, *December 28, 1867.*

MAJOR: I am the father of J. A. Green, of Tupelo, and know that the mule mentioned in Captain Stricklin's statement is his property. That



the negro (Andy Green) never claimed it, and does not claim it now. That he has frequently offered to purchase it of me, but could not pay for it. That it was levied on at the instance of Mr. Maddox, who held a judgment against my son, and that Captain Stricklin is the agent and attorney of my son.

Very truly,

C. A. GREEN.

Major O. D. GREENE, *Holly Springs.*

A true copy:

NAT. WOLFE,  
*Second Lieut. 34th Infantry, A. A. A. G.*

No. 5.

RIPLEY, MISSISSIPPI, *December 28, 1867.*

MAJOR: The statements of Captain Stricklin, in reference to the levy of an execution by me on the mule in controversy, are true. I seized the mule by civil process as the property of Colonel J. A. Green of Tupelo, and put him in Captain Stricklin's possession, and this seizure was made at the instance of Mr. Maddox, who had judgment against Colonel Green, and who I am informed preferred charges against Captain Stricklin. Mr. Maddox pointed out the property himself as the property of Colonel Green, and required me to levy on it.

I saw no retail or other drinking saloons upon the day of the election, and know that for a public occasion the day was unusually quiet and orderly.

Very truly, &c.,

MOSE. MCCARLEY, *Sheriff.*

A true copy:

NAT. WOLFE,  
*Second Lieut. 34th Infantry, A. A. A. G.*

No. 6.

*Endorsement on anonymous communication dated November 15, 1867, and communication of W. T. Stricklin, dated December 28, 1867.*

HEADQUARTERS FOURTH MILITARY DISTRICT,  
*Holly Springs, Mississippi, January 10, 1868.*

Respectfully referred to the president of the constitutional convention now in session at Jackson, Mississippi, for the information of that honorable body.

O. D. GREENE,  
*Assistant Adjutant General.*

A true copy:

NAT. WOLFE,  
*Second Lieut. 34th Infantry, A. A. A. G.*

## No. 7.

[Extract.]

MISSISSIPPI CONSTITUTIONAL CONVENTION, 14TH DAY,  
*Jackson, Mississippi, January 22, 1868.*

Mr. PRESIDENT: Your committee to inquire into charges against Mr. William T. Stricklin, received from headquarters fourth military district, would make the following report:

Inasmuch as the charges are from an anonymous source, with no date or place, we therefore recommend that the secretary be instructed to return the communication to headquarters fourth military district, with the endorsement, "That the charges cannot be entertained by the convention, inasmuch as they are contained in an anonymous letter."

Respectfully,

JOHN FAWN,  
*Chairman Committee.*

Adopted. Official:

T. P. SEARS, *Secretary.*

A true copy:

NAT. WOLFE,  
*Second Lieut. 34th Infantry, A. A. A. G.*

## No. 8.

HEADQUARTERS FOURTH MILITARY DISTRICT,  
*Holly Springs, Mississippi, January 8, 1868.*

SIR: I am directed by the general commanding to transmit herewith accounts of deputy sheriffs for their services rendered during the recent election in Mississippi, in compliance with General Orders No. 31 from these headquarters.

These accounts are from 21 counties, containing 207 election precincts. Accounts to be received from the remaining 40 counties contains 424 election precincts.

With this information, and the papers herewith furnished, the amount required to liquidate the indebtedness of the State for these services is readily ascertainable, and these facts are furnished for your honorable body that it may, in accordance with section 8 of the act of Congress approved March 23, 1867, appropriate the required amount.

I am, sir, very respectfully,

O. D. GREENE,  
*Assistant Adjutant General.*

Hon. PRESIDENT of the Constitutional Convention  
*for the State of Mississippi, Jackson, Miss.*

A true copy:

NAT. WOLFE,  
*Second Lieut. 34th Infantry, A. A. A. G.*

## No. 9.

[Endorsement on (C. 103, A., 1868.)]

CONSTITUTIONAL CONVENTION,  
*State of Mississippi.*

Communication of Thad. P. Sears, secretary of convention, dated Jackson, Mississippi, March 19, 1868, encloses herewith, in accordance with extract of the proceedings of the convention, sundry accounts of deputy sheriffs for services rendered during election. Received March 23, 1868. Respectfully referred to Major P. P. G. Hall, paymaster United States army, at these headquarters, in connection with letter of this date, directing payment of these accounts.

By command of Brevet Major General Gillem:

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

HEADQUARTERS FOURTH MILITARY DISTRICT,  
*Vicksburg, Mississippi, March 27, 1868.*

A true copy:

NAT. WOLFE,

*Second Lieut. 34th Infantry, A. A. A. G.*

## No. 10.

MISSISSIPPI CONSTITUTIONAL CONVENTION,  
*Hall of Representatives, Jackson, Mississippi, January 24, 1868.*

DEAR SIR: We, the undersigned committee, have the honor to inform you that on the 20th day of January, 1868, a resolution and amendment was adopted by the constitutional convention of Mississippi, now in session at the city of Jackson. A certified copy of the same is hereby attached, and marked Exhibit A.

In compliance with the instructions contained in said resolutions, permit us to respectfully represent to you that we have carefully investigated the subject, as fully as our opportunities have permitted, and it is our opinion that the relief solicited in said resolution is apparent, and unless immediate action is taken in the premises many landed estates will be sacrificed at ruinous prices. Planting of all kinds will be retarded and the sufferings of the people greatly augmented.

Therefore, in behalf of a people largely indebted and greatly embarrassed by failure of crops during the past season, the heavy decline in the price of cotton, the chief product of the State, we do therefore most respectfully solicit that you will grant the relief asked for in said resolution, thereby enabling the people to proceed with their planting as extensively as their limited means will support, so that they may succeed in keeping off the threatening terror of starvation that must necessarily follow another failure of crops.

We are, general, very respectfully, &c.,

GEORGE STOVALL, *Chairman.*

A. S. DOWD.

JEHIAL RAILSBACK.

Brevet Major General ALVAN C. GILLEM.

A true copy:

NAT. WOLFE,

*Second Lieut. 34th Infantry, A. A. A. G.*

## No. 11.

[Exhibit A.]

By Mr. Stovall:

Whereas, it has been represented to this convention that a great scarcity of provisions and pecuniary distress exists in many portions of the State, that an immense amount of property is being sold at great sacrifice, and by such sales that the creditors are being but little benefited and the unfortunate debtors being destroyed: Therefore, be it

*Resolved*, That the president of this convention appoint a committee of five, one from each congressional district, who shall proceed to Vicksburg and confer with General Gillem, and urge him to issue a general order forbidding all officers and trustees to sell any more property unless it be for wages on plantations or mechanical labor, until further orders from him.

We, the undersigned officers of the State constitutional convention, do certify that the above is a true and correct copy of the resolution as passed January 24, 1868.

B. B. EGGLESTON, *President*.  
T. P. SEARS, *Secretary*.

A true copy:

NAT. WOLFE,  
*Second Lieut. 34th Infantry, A. A. A. G.*

## No. 12.

MISSISSIPPI CONSTITUTIONAL CONVENTION,  
HALL OF REPRESENTATIVES,  
*Jackson, Mississippi, January 25, 1868.*

MAJOR: The undersigned, one of the committee appointed to confer with the general commanding on the subject, requesting him to issue an order staying the collection of all debts, other than those excepted in the resolution appointing the committee, begs leave most respectfully to present this, his report, dissenting in part from the views of the majority of said committee, and would most respectfully suggest that if any stay-law be ordered by the general commanding, that it be made to apply only to debts contracted prior to or during the war, and that no order be issued applying to debts contracted since July 25, 1865.

That while there may be, and doubtless there are, good and sufficient reasons why debts contracted prior to and during the war for slaves should be stayed and perhaps cancelled, there can be no such reasons assigned for staying the collection of debts since the surrender.

There can be no good reason assigned why those who are now in the possession of large landed estates, greater by far than they can cultivate, should be protected by law in holding them, when such holding is detrimental to the best and most permanent interests of the State and the whole country. Let, then, if the owners are unable to hold them under the existing laws, be sold in lots to suit purchasers, and let the creditors have at least the opportunity of excusing what they can in that direction, provided their claims have been made since the surrender.

So far as personal property is concerned, that might and should be

exempted to the extent required in the majority report, with the addition that no stay-law be applicable to taxes levied by the convention.

Very respectfully, your obedient servant,

W. H. GIBBS.

Major JOHN TYLER,

*A. A. A. Gen., Fourth Military District, Vicksburg, Miss.*

A true copy:

NAT. WOLFE,

*Second Lieut. 34th Infantry, A. A. A. G.*

No. 13.

HEADQUARTERS FOURTH MILITARY DISTRICT,  
*Vicksburg, Mississippi, February 4, 1868.*

SIR: I am directed by the general commanding fourth military district to acknowledge the receipt of your communication, enclosing a copy of resolution directing the appointment of a committee of five to proceed to this place and urge him to issue a general order forbidding sales by all officers and trustees, except for wages on plantations or mechanics' labor, and to inform you that upon mature consideration of the subject the general commanding is convinced that a great portion of the distress of the people in this State is not more the result of a failure of the crop than of indebtedness which existed at the close of the late war. Debtors have now had three years in which to cancel their obligations. It is believed that facts will support the assertion that the indebtedness of the people is greater at present than it was in 1865. Nor is it believed it would be easier to cancel these in 1869.

A great part of this indebtedness was incurred prior to 1861, and was secured by mortgages on real estate. Slave labor was relied upon to supply the means by which to cancel their mortgages, and slavery having ceased to exist, the only means of cancelling these obligations is the sale of real estate, or so much of the same as shall be necessary for that purpose. Nor is it apparent how the sale and consequent distribution of real estate will injure the material prosperity of the State.

In noticing that portion of the letter of the majority of your committee which asks for this intervention to enable the people to proceed with their planting as extensively as their limited means will permit, thereby keeping off threatened starvation, the general commanding begs leave to call the attention of your committee to the bankrupt law of the United States, which is governed in its operations by the law of exemption in the several States. It will be observed that the exemption laws of Mississippi allow to each family 160 acres of land, including the dwelling, two horses or mules, with the necessary harness and implements, five cows, household furniture, with one year's provisions, &c., &c.

It is suggested that with these allowances or exemptions no family is threatened with starvation, present or prospective, by non-intervention, or allowing the law to take due course.

From the above considerations the general commanding deems it

inexpedient to issue the order asked for in the resolution transmitted by your committee.

I am, sir, very respectfully, your obedient servant,

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

Hon. GEORGE STOVALL,

*Chairman of Committee Mississippi Constitutional Convention.*

A true copy :

NAT. WOLFE,

*Second Lieut. 34th Infantry, A. A. A. G.*

#### No. 14.

#### MISSISSIPPI CONSTITUTIONAL CONVENTION,

*Jackson, Mississippi, January 25, 1868.*

MAJOR: The undersigned, a committee appointed by the constitutional convention now in session at the city of Jackson, on a resolution adopted January 23, 1868, a copy of which is herewith enclosed, beg leave most respectfully to represent to the general commanding that there are now in portions of this State many persons who are in a condition described in the resolution. Many while yet slaves were forced far from homes and friends and have never been able to return to them: others have been induced by promises of liberal compensation for labor to leave families and friends, and now are cast out on the cold charities of the world without money, and far from friends who might be able to afford them temporary relief.

We would therefore, under these circumstances, and in view of these facts, respectfully request of the general commanding to issue such orders as he may deem necessary to give relief to this class of people, and to furnish such means as may be at his command to enable them to go to their homes and friends.

Very respectfully, your obedient servant,

CHARLES W. FITZHUGH, *Chairman,*

J. A. MOORE,

T. W. STRINGER,

*Committee.*

Major JOHN TYLER,

*A. A. A. Gen., Fourth Military District, Vicksburg, Miss.*

A true copy :

NAT. WOLFE,

*Second Lieut. 34th Infantry, A. A. A. G.*

#### No. 15.

[Extract.]

#### MISSISSIPPI CONSTITUTIONAL CONVENTION,

HALL OF REPRESENTATIVES,

*Jackson, Mississippi, January 25, 1868.*

Mr. Moore, of Lauderdale, offered the following:

Whereas there are at this time many persons known as refugees, some as former slaves sold and taken far away from friends and homes, and now without the means necessary to return thereto: Therefore, be it

*Resolved*, That a committee of three be appointed by the president to confer with General Gillem, commanding fourth military district, and request that he furnish such persons with the necessary means to reach their former homes.

Adopted.

The president appointed the following-named delegates upon the above: Messrs. Moore, Fitzhugh, and Stringer.

B. B. EGGLESTON, *President*.

A true copy :

T. P. SEARS, *Secretary*.

A true copy:

NAT. WOLFE,  
*Second Lieut. 34th Infantry, A. A. A. G.*

### No. 16.

HEADQUARTERS FIRST MILITARY DISTRICT,  
*Vicksburg, Mississippi, January 29, 1828.*

GENTLEMEN: The general commanding directs me to acknowledge the receipt of your communication of the 25th instant, with copy of resolution of constitutional convention of Mississippi of same date enclosed, representing that there are now in this State many persons who are in a destitute condition, many of whom, while slaves, were forced far from their homes and friends and have never been able to return; others who have been induced, by promises of liberal compensation for labor, to leave families and friends and are now cast out on the cold charities of the world, without money, far from friends who might afford them temporary relief; in view of these circumstances requesting that the general commanding issue such orders as he may deem necessary for their relief, and furnish such means as may be at his command to enable them to go to their homes and friends.

In reply I am directed to say that it has been and is yet the custom of the general commanding, as assistant commissioner of the Bureau of Refugees, Freedmen and Abandoned Lands, State of Mississippi, to furnish children with transportation to their parents or relations desiring to take charge of them. Transportation has also been furnished for such destitute persons as were likely to become a charge on the government, to places where employment might be obtained, or they be provided for by their friends. It is not deemed expedient to extend this custom beyond the class of persons above alluded to—children and destitutes unable to provide a support by labor.

To return the colored people of Mississippi to the places of their birth, or, as expressed by the resolution, to their homes and friends, would require \$1,000,000. Every assistance will be given in providing homes and labor for the persons alluded to in the resolution.

I am, gentlemen, very respectfully, your obedient servant,

JOHN TYLER.

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

Messrs. CHARLES FITZHUGH,

F. A. MOORE, and

T. W. STRINGER,

*Committee Constitutional Convention, State of Mississippi.*

A true copy:

NAT. WOLFE.  
*Second Lieut. 34th Infantry, A. A. A. G.*

## No. 17.

*Report of the committee on destitution, adopted February 4, 1868, by the Mississippi constitutional convention.*

MR. PRESIDENT: The committee appointed to inquire into the destitute condition of a portion of the citizens of this State, and the best means of present and permanent relief to the same, report the following, to wit:

That they have called upon the delegates of this convention for information of the condition of the citizens of their respective counties, and have examined their reports on that subject, and find that there exists at this time, nearly all over this State, an alarming state of destitution among the laboring classes, and to some extent among other persons, strangers to labor and economy.

From a careful investigation of this subject we have been induced to set down the number of destitute and suffering persons at 30,000. This we regard as a low estimate of the suffering and destitute; but the number of those in straitened and needy circumstances may be safely set down at not less than 40,000. We find but eleven counties free from distress and suffering, and in nearly all the rest there is more or less destitution, and in some it is bordering on actual starvation.

It becomes us in the discharge of our duty to point out some present and permanent mode of relief for this truly alarming condition of the destitute citizens of this State. This is by no means an easy task, and has caused us much serious thought and reflection; but, after listening to many suggestions from many persons both in and out of this convention, we have thought best to recommend the following plan of present relief as the best we can devise, to wit: That the sheriffs of the different counties of this State be authorized to hold subject to the orders of a commissioner appointed by this convention for said counties the poll tax collected or to be collected by said sheriffs, to be applied by said commissioners to the relief of destitute persons in their respective counties, requiring of said persons, if able-bodied, to work on the public roads, or some other public works of the county, simply supplying such destitute persons with sufficient food and clothing to keep them warm, and this to be continued only till they can get employment and wages elsewhere to keep them from starvation, and that a strict account be kept by said commissioner of all the money expended by him in support of said persons, and that he be required to superintend and direct the labor of such indigent and destitute persons, and report to the retained registrar at least once a month the number and condition of those so employed and relieved as aforesaid, and to receive such compensation as the retained registrar may direct, not to exceed four dollars a day.

By this means the roads of the different counties that are now in a very bad condition, and many of them almost impassable, might be put in good order, and at a very little expense, resulting in a great benefit to the travelling public and to the destitute and starving individuals.

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[Extract]

*Proceedings of the Mississippi constitutional convention, February 8, 1868.*

*Resolved, That a copy of the report of the committee on destitution for temporary relief to destitute persons of this State be signed by the*



president of this convention, and that the secretary be directed immediately to transmit the same to Major General A. C. Gillem, with a request that he may carry out said plan, or something similar, so that speedy relief may be had.

Adopted.

B. B. EGGLESTON, *President*.

A true copy :

NAT. WOLFE,  
*Second Lieut. 34th Infantry, A. A. A. G.*

No. 18.

HEADQUARTERS FOURTH MILITARY DISTRICT,  
*Vicksburg, Mississippi, February 15, 1868.*

SIR: I am directed by the general commanding to acknowledge the receipt of a copy of a report of committee of the Mississippi constitutional convention on destitution, adopted by your convention February 4, 1868, and also a copy of a resolution by your convention, requesting Brevet Major General Gillem to carry out the plan of relief recommended in said report, or some other similar one, and in reply to inform you that he is aware that by the failure of the crops and the reduced price of cotton many landholders will be compelled to plant on a more limited scale this year than was done last, and that there is much destitution and perhaps some suffering among the laboring classes; but, after a careful investigation by competent and reliable officers and agents, the general commanding is satisfied that the estimate of your committee, which places the number of those actually suffering at 30,000, is much too great.

The subject of destitution has received the most careful consideration of the commanding general, and not only in his capacity as district commander, but also as assistant commissioner of Bureau of Refugees, Freedmen and Abandoned Lands, and measures which it is believed will relieve all who are actually suffering have been adopted. To this end the officers and agents of the Bureau Refugees, Freedmen and Abandoned Lands have been instructed to procure labor for all such as are able and willing to earn a support. The aged and decrepit and orphan children will be cared for in hospitals and asylums.

It will be seen from the accompanying reports that the demand for labor far exceeds the supply. While this is the case it is not believed that any great degree of suffering can exist among the laboring classes.

It will be seen from the accompanying order that transportation is furnished to laborers unable to procure employment to points where their services are in demand. It may not be out of place to remark here that at this time letters are constantly received requesting aid in hiring laborers, and five hundred and their families could this day procure employment at the office of the sub-assistant commissioner of the bureau in this city. The general commanding desires further to assure the convention that he will take every precaution to prevent suffering, and that he believes with the means at his disposal he will be able to accomplish this.

With these convictions the commanding general deems it inexpedient to divert so large an amount of the revenue of this State as that derived from the poll tax to the object specified in your resolution.

The attention of the convention is called to the fact that there are no

funds in the State treasury, and that the State's prison and the lunatic asylum are now supported at the expense of the United States.

The commanding general therefore declines to authorize the sheriffs to dispose of the funds derived from the poll-tax as recommended by the convention.

I am, sir, very respectfully, your obedient servant,

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

Hon. B. B. EGGLESTON,

*President Constitutional Convention, Jackson, Miss.*

A true copy:

NAT. WOLFE,

*Second Lieut. 34th Infantry, A. A. A. G.*

No. 19.

*Endorsement on communication of Benjamin H. Orr, dated January 22, 1868.*

In the event of an ordinance providing for the levy and collection of a special tax on the real and movable property in the State, will the civil authorities be prevented from collecting said tax, either by forcible resistance or injunction, or other measures emanating from, or issued by, any of the civil courts or other authorities of the State?

Received January 26, 1868, and returned same date, endorsed as follows:

Respectfully returned to Hon. Benjamin H. Orr, chairman committee, with the information that the civil authorities "will not be prevented from collecting said taxes by forcible resistance," and further that an ordinance of the convention made in conformity with the 8th section of the act of March 23, 1867, will be recognized as legal.

By command of Brevet Major General Alvan C. Gillem:

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

A true copy:

NAT. WOLFE,

*Second Lieut. 34th Infantry, A. A. A. G.*

No. 20.

[Extract.]

*Proceedings of the Mississippi constitutional convention, February 12, 1868.*

Whereas the courts of the State of Mississippi have enjoined the collection of the special tax levied by this convention, and that people have, in public meetings, declared their opposition to the same, and their determination not to pay unless they are compelled to do so by military orders: Therefore, be it

*Resolved*, That General Gillem be requested by this convention to issue an order prohibiting the interference of any court of this State with the collection of said tax, and directing the people to pay the same, and that the secretary be directed to furnish Major General Gillem with a copy of this resolution, and the commanding general be respectfully requested to answer immediately.

Adopted.

Official:

THAD. P. SEARS, *Secretary.*

By Mr. Alderson :

*Resolved*, That General McKee be appointed by the President to visit General Gillem, at Vicksburg, and present to him the resolution just passed by this convention, requesting him to enforce the collection of the special tax, and report back to this convention as soon as practicable.

Adopted.

Official :

THAD. P. SEARS, *Secretary*.

A true copy :

NAT. WOLFE,  
*Second Lieut. 34th Infantry, A. A. A. G.*

AN ORDINANCE providing for the levy and collection of a tax to defray the expenses of a constitutional convention of the State of Mississippi, adopted by the constitutional convention of the State of Mississippi, January 24, 1868.

SECTION 1. *Be it ordained by the people of the State of Mississippi, in convention assembled*, That a special tax of two dollars and fifty cents per thousand be, and the same is hereby, levied upon the gross receipts of sales for the year 1867, upon every dry-goods, grocery, drug and provision store, or commission house, where goods, wares and merchandise are sold, not herein otherwise provided for.

SEC. 2. *Be it further ordained*, That a special tax of fifty dollars be, and the same is hereby, levied upon each and every auction store, upon each brewery, upon each bar room, drinking saloon, or other places where spirituous, vinous, malt or brewed liquors are sold by permission of law, and upon each wholesale or rectifying house.

SEC. 3. *Be it further ordained*, That a special tax of twenty-five dollars be, and the same is hereby, levied upon each and every livery stable where horses or mules are kept for sale or hire; upon each saw-mill where lumber is sawed for sale; upon each dealer in coal, coal company, or keeping of a coal yard; upon each carriage depository where carriages are kept for sale or hire; upon each nine or ten pin alley, exclusive of tax upon bar rooms, and upon each wharf boat.

SEC. 4. *Be it further ordained*, That a special tax of ten dollars be, and the same is hereby, levied upon each and every bounty agency, established to procure payment of bounties due the United States soldiers; upon each public inn, tavern, eating house or restaurant, exclusive of the tax upon bar rooms; upon each gunsmith, and upon each meat stall, or place where fresh meats are kept for sale.

SEC. 5. *Be it further ordained*, That a special tax of \$200 be, and the same is hereby, levied upon each and every distillery where grain and fruits are distilled into spirituous liquors.

SEC. 6. *Be it further ordained*, That a special tax of \$100 be, and the same is hereby, levied upon each and every bank, banking establishment, broker or dealer in exchange, money, bonds or notes; and that any person doing business in the streets, highways or other places, shall be considered as a broker, and liable for the tax provided for in this section.

SEC. 7. *Be it further ordained*, That a special tax of \$50 be, and the same is hereby, levied upon each and every gas company or other establishment where gas is manufactured for public use.

SEC. 8. *Be it further ordained*, That a special tax of \$50 be, and the same is hereby, levied upon each and every daily newspaper; \$30 upon each tri-weekly newspaper, and \$20 upon each weekly newspaper

published in the State; provided that when daily, tri-weekly and weekly are published at the same office, then and in that case \$50 for the daily, and \$30 for the tri-weekly, as the case may be, shall only be levied and collected.

SEC. 9. *Be it further ordained*, That a special tax of \$25 be, and the same is hereby, levied upon each job printing office, when separate from newspaper or publishing establishment.

SEC. 10. *Be it further ordained*, That a special tax of \$25 be, and the same is hereby, levied upon each office or agency of each and every express company; and that it be understood what is intended by each office or agency, it is hereby declared that at any point or places where express mail is sent or received, is declared to be an office or agency.

SEC. 11. *Be it further ordained*, That a special tax of \$10 be and the same is hereby levied upon each and every telegraphic office, where despatches are received and sent: *Provided*, That this section shall not apply to offices used exclusively by railroads or banking establishments.

SEC. 12. *Be it further ordained*, That a special tax of \$200 be and the same is hereby levied upon the New Orleans, Jackson and Great Northern railroad, the Vicksburg and Meridian railroad, to be collected at Jackson, Mississippi; and upon the Mississippi Central railroad, to be collected at Canton, Mississippi; and upon the Mobile and Ohio railroad, to be collected at Columbus, Mississippi; and upon the Mississippi and Tennessee railroad, to be collected at Grenada, Mississippi; that a special tax of \$50 is hereby levied upon the Meridian and Selma railroad, to be collected at Meridian, Mississippi; that a special tax of \$50 be assessed upon the Memphis and Charleston railroad, to be collected at Corinth, Mississippi; that a special tax of \$50 is hereby levied upon the West Feliciana railroad, to be collected at Woodville, Mississippi; that a special tax of \$10 is hereby levied upon the Grand Gulf and Port Gibson railroad, to be collected at Port Gibson, Mississippi.

SEC. 13. *Be it further ordained*, That a special tax of \$10 be and the same is hereby levied upon each and every steamboat agency, for each boat represented by the agent or agents, provided this section shall not apply to transient boats.

SEC. 14. *Be it further ordained*, That a special tax of \$25 be and the same is hereby levied upon each and every grist mill, where the value of toll sold for the year 1867 exceeded \$1,000, and upon each cotton-gin where more than fifty bales were ginned for the public during the same time.

SEC. 15. *Be it further ordained*, That a special tax of \$100 be and is hereby levied upon each and every steam ferry plying to or from any point upon the Mississippi river, in this State; a tax of \$25 be and the same is hereby levied upon all chartered ferries in this State; and a tax of \$25 be and the same is hereby levied upon each toll bridge and turnpike within the same.

SEC. 16. *Be it further ordained*, That a special tax of fifty cents per bale be and is hereby levied upon each and every bale of cotton now in store at any point in this State, or that may be received by any forwarding or commission merchant, or other person, during the time of the collection of this tax.

SEC. 17. *Be it further ordained*, That this convention, upon the recommendation of delegates from the several counties, shall elect or appoint the necessary number of collectors, not to exceed one to each county, who shall, before entering upon the duties of their office, take and subscribe the oath of office provided for officers of the United States by an act of Congress dated July 2, 1862, which oath shall be deposited with the treasurer of this convention: *Provided*, That said collectors shall

receive in full compensation five per cent. of all monies collected by them under this ordinance.

SEC. 18. *Be it further ordained*, That it shall be the duty of the collectors of the several counties to collect the tax herein provided, after giving five days' previous notice thereof by posting conspicuously over the county a schedule of the amount of tax levied by this ordinance, and the day upon which he will proceed to collect the same; and in default of payment of the tax assessed by the ordinance, the tax collector shall have power to levy upon and sell to the highest bidder a sufficient amount of personal property belonging to the defaulting party, to pay the amount of tax with cost of levy and sale: *Provided*, The said collector shall in such cases give three days' previous notice of the time and place of sale, and the property to be sold, by posting advertisements in five public places in the county.

SEC. 19. *Be it further ordained*, That any person who shall pay any tax under this ordinance shall be entitled to ask and receive from the collector to whom he may have paid the same a receipt, stating the amount so paid, and said receipt shall be hereafter received by any sheriff or other tax collector when presented to him for all taxes now due the State, or that may hereafter become due, and provided that said receipt shall be transferable and receivable from any person who may hold the same: *Provided*, That the tax collected under this ordinance shall be paid in the currency of the United States, except as herein otherwise provided.

SEC. 20. *Be it further ordained*, That each tax collector shall, at the end of every five days, (beginning ten days after the acceptance of his appointment,) transmit to the treasurer of this convention the amount of money so collected, with a statement of the names of persons from whom collected, and what amount each one has paid; and when the tax is all collected said collector shall forward to the said treasurer a final statement of the money so collected, together with an affidavit that such statement contains a true and correct exhibit of all moneys collected by him, under the provisions of this ordinance: *Provided*, That the money herein directed to be sent to the treasurer shall in all cases be forwarded through the nearest express office, and that each collector shall be reimbursed for his actual expenses incurred in transmitting said funds to the treasurer: *Provided further*, That when there is no express office in a county, the collector shall be required to make the returns to the treasurer, as herein provided, once every ten instead of five days.

SEC. 21. *Be it further ordained*, That the tax collector shall have power to administer an oath to any person or persons as to his or their amount of sales during the year 1867, and to examine all books and papers of merchants and others, in order to carry out the provisions of sections 1 and 14 of this ordinance; and if any person shall refuse to make such oath, or if the collector shall be unsatisfied as to the amount of sales rendered, he shall have the power to assess and collect from every such person what he shall deem to be just.

SEC. 22. *Be it further ordained*, That a treasurer shall be elected or appointed by this convention, to continue in office during its session, and such further time as may be necessary to carry out the provisions of this ordinance. He shall receive the same compensation as the members of this convention, and it shall be the duty of the treasurer to provide all blanks, notices, and receipts to carry out the provisions of this ordinance, and forward the same to the several collectors; he shall also take the oath provided for United States officers by act of Congress dated July 2, 1862; and he shall file a bond with the president of the

convention for the faithful performance of his duties in the sum of \$30,000.

SEC. 23. *Be it further ordained*, That the office of treasurer shall be in the state house, in the city of Jackson, and shall be kept open from 9 a. m. until 4 p. m. each day, Sundays excepted.

SEC. 24. *Be it further ordained*, That the treasurer shall receive and disburse all moneys collected under and by virtue of this ordinance: *Provided*, That no disbursements shall be made except upon warrants signed by the president and countersigned by the secretary. He shall, as often as may be deemed necessary by this convention, furnish a detailed statement of all moneys received and disbursed by him by reason of this ordinance, and all books and papers appertaining to his office shall at all times be open to the inspection of the finance or other committee, specially appointed by this convention for that purpose.

SEC. 25. *Be it further ordained*, That all moneys remaining in the treasury, after paying the expenses of this convention, shall be invested in United States securities, at their market value, which securities shall be held subject to the order of the next legislature, at its regular meeting: *Provided*, If this convention shall be again called together, in that case the securities shall be held subject to the order of the convention.

SEC. 26. *Be it further ordained*, That any tax collector or treasurer appointed by this convention, who shall embezzle or fraudulently use, loan, convert, or attempt to convert, any of the said funds herein authorized to be collected to his own use, or apply them in any manner not herein provided for, shall be deemed guilty of embezzlement, and shall be prosecuted in any court in this State having competent jurisdiction, and upon conviction shall be fined and imprisoned as now provided by law in case of State and county officers.

SEC. 27. *Be it further ordained*, That a special tax of  $33\frac{1}{3}$  per cent. be, and the same is hereby, levied, in addition to the State tax now assessed, upon the real and moveable property in this State, for the year 1867, and that the amount shall be added to the taxes for said year.

SEC. 28. *Be it further enacted*, That it shall be the duty of the sheriffs of the several counties to add to the assessment rolls for 1867 the per cent. herein authorized, and collect the same with said taxes, according to the laws now in force in this State for the collection of taxes; they shall receive the same compensation for said services as now provided by law.

SEC. 29. *Be it further ordained*, That the warrants issued by this convention, as well as the receipts of all tax collectors herein authorized, shall be received by the sheriffs in payment of this tax, and also all other taxes now due in this State.

SEC. 30. *Be it further ordained*, That the sheriffs of the several counties shall make separate returns to the State auditor and treasurer, as now required by law, of all taxes collected by them under this ordinance.

SEC. 31. *Be it further ordained*, That the State treasurer shall receive from the sheriffs of the several counties the amount of taxes collected by them under this ordinance, and shall pay the same out only upon the warrants issued by this convention, until the meeting of the first legislature after the adoption of the constitution to be framed by this convention.

SEC. 32. *Be it further ordained*, That no warrants shall be received by the sheriffs of the several counties, in payment of this tax, except those herein provided for.

SEC. 33. *Be it further ordained*, That it shall be the duty of the

secretary of this convention, at the time of its adjournment, to furnish to the treasurer of the State the number of warrants issued by this convention, the number outstanding, to whom issued, and the amount of each.

SEC. 34. *Be it further ordained*, That a special tax of \$10 be, and the same is hereby, levied on each and every billiard table in use in this State on the first day of January, 1868.

SEC. 35. *Be it further ordained*, That a special tax of \$25 be, and the same is hereby, levied upon each and every photograph gallery.

SEC. 36. *Be it further ordained*, That a special tax of \$5 be, and the same is hereby, levied upon each and every agency of each insurance company doing business.

B. B. EGGLESTON, *President*.  
T. P. SEARS, *Secretary*.

A true copy:

NAT. WOLFE,  
*Second Lieut. 34th Infantry, A. A. A. G.*

No. 22.

[Telegram.]

JACKSON, MISSISSIPPI, *February 17, 1868.*

Brevet Major General ALVAN C. GILLEM,

*Commanding Fourth Military District, Vicksburg, Miss.:*

Convention demands my report of conference with you. When can I have your answer?

GEORGE C. MCKEE.

A true copy:

NAT. WOLFE,  
*Second Lieut. 34th Infantry, A. A. A. G.*

No. 23.

[Telegram—12 m.]

HEADQUARTERS FOURTH MILITARY DISTRICT,  
*Vicksburg, Mississippi, February 17, 1868.*

Hon. GEORGE C. MCKEE,

*Constitutional Convention, Jackson, Mississippi:*

The general has been prevented by sickness from replying to the tax question. It will not be unnecessarily delayed.

JOHN TYLER,  
*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

A true copy:

NAT. WOLFE,  
*Second Lieut. 34th Infantry, A. A. A. G.*

## No. 24.

[Telegram—4 p. m.]

HEADQUARTERS FOURTH MILITARY DISTRICT,  
*Vicksburg, Mississippi, February 19, 1868.*

Hon. GEORGE C. MCKEE,

*Constitutional Convention, Jackson, Mississippi:*

A reply on tax question will reach you to-morrow morning by special messenger.

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

A true copy:

NAT. WOLF,

*Second Lieut. 34th Infantry, A. A. A. G.*

## No. 25.

HEADQUARTERS FOURTH MILITARY DISTRICT,  
*Vicksburg, Mississippi, February 19, 1868.*

SIR: I am directed by the commanding general to acknowledge the receipt of a copy of the resolution of the convention which you delivered to him in person on the 14th instant, and to state that the reply has been delayed by the illness of the general and the necessity of giving the subject the consideration which its importance demands.

The resolution directs that General Gillem be directed to issue an order, but does not state the nature or bearing of the order desired, except that it should direct the people to pay said tax.

Immediately after the passage of the tax ordinance by the convention, the general commanding was waited upon by a committee of citizens, who claimed that said ordinance was not in compliance with the 8th section of the act of Congress of March 23, 1867, authorizing the convention to levy and collect a tax on the property in the State to defray its expenses. Believing that the United States district judge of Mississippi was the proper officer to decide the question, which involved the interpretation of the United States law, the general suggested that they should appeal to his court, and declined taking any action in the matter. Judge Hill, United States district judge, was then applied to for an injunction to restrain the collector for the convention tax from collecting said tax. He declined interfering on the ground of want of jurisdiction in the question presented, "and not on the merits of the bill, which were not examined." After this refusal of Judge Hill to entertain the question, parties applied to Judge Shackelford, circuit judge, who issued an injunction against the tax collector.

Thus the matter stood at the date of the receipt of the resolution of the convention, requesting an order to be issued "directing the people to pay the tax."

Before issuing an order directing the decree of an established court to be disregarded, the general commanding considers it an imperative duty to thoroughly examine the provisions of the ordinance he is requested



to enforce, and in so doing the law usually known as the reconstruction act, promulgated in general orders, will be taken as his guide. It is clear that the law above alluded to empowers the convention to levy and collect a tax to defray its expenses. The only question then is whether or not the tax ordinance of the convention conforms to the law. In examining a law, its operations, effect and intent, resort must be had to its origin and the purposes for which it was enacted. It is an undeniable fact that the convention derives its existence from the act of Congress above mentioned, and that section eight of the act of March 23, 1867, grants the only authority with which the convention is invested for levying and collecting taxes. This section empowers the convention to levy a tax on the property in the State.

The circumstances under which this tax is laid, the limited wants it is to supply, as well as the language adopted in section quoted, indicate that the taxation was intended by Congress to be uniform and general, and its subjects tangible and definite. Can the convention by an ordinance go beyond the law under which it is assembled, or can the agent do more than the principal has so authorized? The act of Congress is not retrospective—retrospective power is never given unless the intention to give it is plain and palpable—nor will a previously existing right be construed away by implication; nor shall a construction be given against the plain and obvious dictates of reason. Congress has not even by implication authorized retrospective taxation. It is not therefore believed that the convention is authorized to levy a tax of two dollars and fifty cents upon sales of merchandise made in the year 1867, as is done in the first section of the tax ordinance, as a person, although at present owning no property, may be taxed on what he possessed last year.

Can the special taxes enumerated in sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 36 of the tax ordinance providing for the collection of various sums from \$10 to \$200, on express and steamboat agencies, grist-mills, ferries, telegraph offices, newspapers, &c., &c., be considered as made upon the property in the State, as contemplated by the law?

Some of these assessments are made expressly upon persons by the description of their occupation; as dealers in coal, gunsmiths, brokers, bounty agents, &c.

By the various sections above quoted, certain citizens engaged in various branches of business are required to pay to the tax collector certain specified sums, for which they are authorized by section 19, "to ask and receive a receipt from the collector to whom they may have paid the same, which receipts shall hereafter be received by any sheriff or tax collector when presented to him, for all taxes due the State, or that may hereafter become due;" and further, this receipt is made transferable.

These special taxes are in many instances, as in the case of agencies, levied where no property exists; such collections are merely forced loans, the only security for which are the receipts of the tax collector, and the only manner of realizing any benefits from them depends upon the contingency of their holders being able to dispose of them to those upon whom taxes are levied by the 27th section of the tax ordinance, for it is not considered that the provision in the 19th section, which makes those tax receipts "receivable for all taxes now due the State, or that may hereafter become due," is authorized by the act of Congress; as the effect of this provision is to authorize the payment of the taxes heretofore levied for the support of the provisional government in a manner not prescribed by existing laws.

Attention is also called to the fact that the reconstruction law merely directs that the convention shall levy and collect a tax to defray its expenses. But under the provisions of the tax ordinance, it is estimated that \$300,000 will be collected, which exceeds the estimated expenses of the convention by at least \$100,000.

It seems to have been anticipated by the convention that the amount collected would exceed the necessary expenses of the convention, as provision is made for investing the surplus in United States securities.

It is not believed that the convention is vested with the control of a larger amount than is necessary to defray its expenses.

The general commanding desires further to call the attention of the convention to the manner in which it is proposed to collect the special taxes imposed in sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 34, 35, and 36, authorizing the levy and collection of the tax. Congress did not specify the manner in which said taxes should be collected; but in the absence of any provision on the subject, and as the laws under which the convention is assembled recognize the State government, and did not authorize the convention to create any additional offices, the inference would seem to be that the duty of collecting and disbursing the funds necessary to defray the expenses of the convention should devolve upon the officers already in existence—auditor, treasurer, and sheriffs, the latter of whom are ex officio tax collectors.

It is not believed that the laws of Congress vested the legislative power which has been exercised by the convention in creating the offices of "treasurer of the convention and tax collector," the latter of whom is not required to give bonds for the faithful performance of his duty, and is clothed with the most extraordinary powers; among others he is authorized to administer an oath to any person or persons as to his or their amount of sales during the year 1867, and if he shall "be unsatisfied as to the amount of sales rendered, he shall have the power to assess and collect from every such person what he shall deem just." If he is not satisfied—as to whether he should be he is the sole judge without appeal—there is no limit to the exaction it is within his power to make, as the United States district judge has declined to interfere, and the convention having requested the commanding general to allow no State court to entertain jurisdiction.

In conclusion the general commanding desires to inform the convention that he considers the tax levied by the 27th section to be in conformance with the act of Congress, and to assure the convention that he will afford them every facility in collecting any tax which he believes to be legal, or afford them any assistance in his power in the performance of the important duties devolving upon them by law. He would recommend that the sheriffs, or ex officio tax collectors, be intrusted with the collection, and the State treasurer with the disbursing of the funds raised for defraying the expenses of your convention.

I am, sir, very respectfully, your obedient servant,

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

Hon. GEORGE C. MCKEE,

*Constitutional Convention, Jackson, Mississippi.*

A true copy:

NAT. WOLFE,

*Second Lieut. 34th Infantry, A. A. A. G.*

## No. 26.

[Telegram—2.20 p. m.]

HEADQUARTERS FOURTH MILITARY DISTRICT,  
*Vicksburg, Mississippi, February 28, 1868.*

T. P. SEARS, Esq., *Secretary of the Convention:*

Please send me by train to-morrow morning the draught of tax ordinance you took from here.

ALVAN C. GILLEM,  
*Brevet Major General U. S. A., Commanding.*

A true copy:

NAT. WOLFE,  
*Second Lieut. 34th Infantry, A. A. A. G.*

## No. 27.

[Telegram—11 a. m.]

HEADQUARTERS FOURTH MILITARY DISTRICT,  
*Vicksburg, Mississippi, March 6, 1868.*

Hon. GEORGE C. MCKEE, *Jackson, Mississippi:*

Would it not be well to make all warrants heretofore issued by the convention redeemable only at State treasury, to prevent counterfeiting? Please answer immediately as tax order is delayed for reply.

JOHN TYLER,  
*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

A true copy:

NAT. WOLFE,  
*Second Lieut. 34th Infantry, A. A. A. G.*

## No. 28.

HEADQUARTERS FOURTH MILITARY DISTRICT,  
*Vicksburg, Mississippi, March 11, 1868.*

SIR: I have the honor to transmit herewith 120 copies of General Orders No. 10, current series, from these headquarters, for the information of the members of the convention.

The State officials and the county sheriffs of this State have each been furnished with an official copy of the order.

Very respectfully, your obedient servant,

JOHN TYLER,  
*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

The Honorable PRESIDENT

*Constitutional Convention, Jackson, Miss.*

A true copy:

NAT. WOLFE,  
*Second Lieut. 34th Infantry, A. A. A. G.*

## No. 29.

[General Orders No. 10.]

HEADQUARTERS FOURTH MILITARY DISTRICT,  
(MISSISSIPPI AND ARKANSAS,) *Vicksburg, Mississippi, March 6, 1868.*

The taxes levied by the following ordinance passed by the constitutional convention of Mississippi, on the 27th of February, 1868, for the purpose of raising funds to defray the expenses of said convention, will be collected and accounted for by the sheriffs, as directed by said ordinance, with the following exception:

Section 4, providing "that it shall be the duty of the said sheriffs and *ex officio* tax collectors to give immediate notice upon receipt of this ordinance that they will proceed to collect the taxes herein levied, and that to all taxes remaining unpaid at the expiration of ten days from the date of said notice twenty-five per cent. will be added to the amount of said tax," is so modified as to read 30 days instead of 10 days.

The auditor of public accounts of the State of Mississippi will issue the warrants as provided by the 16th section of the accompanying ordinance.

The State treasurer will receive and disburse the funds as prescribed by law and this ordinance.

## AN ORDINANCE

Passed by the constitutional convention of the State of Mississippi, February 27, 1868, to provide for the levy and collection of a special tax upon the property in the State of Mississippi to pay the expenses of said convention, in conformity with the 8th section of an act entitled "An act supplementary to act of Congress of the United States, passed March 23, 1867."

SECTION 1. *Be it ordained*, That we, the people of the State of Mississippi, in convention assembled, in compliance with the act of Congress herein cited, and for the purpose of paying the necessary expenses of the convention under and by virtue of said act, do order that a special tax on the property, real and personal, in the State, equal to fifty per cent. on the amount of the State tax assessed upon said property for State purposes for the year 1867, be and the same is hereby levied, and that this amount shall be added to the State tax assessment rolls for the year aforesaid.

SEC. 2. *Be it further ordained*, That a special tax of one-half of one per cent. be, and the same is hereby, levied upon the value of the stock now on hand in each and every dry goods, grocery, drug, or provision store, and stocks of goods and merchandise, and all other moveable or personal property of every kind and nature not herein otherwise provided for.

SEC. 3. *Be it further ordained*, That a special tax of fifty cents per bale be, and the same is hereby, levied upon each and every bale of cotton now in this State, said tax to be paid in the county where said cotton was grown; but if not so paid, said tax shall be collected at any point of shipment on the Mississippi river, or any other river or navigable water-course, or at any point or place where cotton is placed on any water craft, railroad car, wagon, or other conveyance. When cotton is being removed out of the State, or beyond the limits thereof, and if said tax has been paid in the county where said cotton was grown or produced, the receipt of the sheriff of said county, or his lawful deputy, shall entitle said cotton to be shipped out of the State without further tax; and if any person or persons having charge of the means of transportation aforesaid, either as owner, agent, or otherwise, shall transport, or offer to transport, or permit the same to be transported, (if in his or their power to prevent,) any cotton subject to this tax, and upon which it has not been paid, such person or persons shall be liable to a fine of five dollars for each and every bale so transported in violation of this ordinance, recoverable before the mayor of any city or town, or before any justice of the peace of this State, or before any other court having competent jurisdiction.

SEC. 4. *Be it further ordained*, That it shall be the duty of the several sheriffs and *ex officio* tax collectors to give immediate notice, on receipt of this ordinance, that they will proceed to collect the taxes herein levied, and that to all taxes remaining unpaid at the expiration of ten days from the date of said notice twenty-five per cent. will be added to the amount of said tax, and that an additional twenty-five per cent. will be added for the next ten days, and that if said tax shall remain due and unpaid at the expiration of twenty days from the date of

said notice, said sheriff or tax collector shall seize upon and take into his possession a sufficient amount of the movable property of the defaulting party to satisfy the amount of the tax due, together with the fifty per cent, herein authorized to be added, and the cost of the levy and sale, and shall sell the same within three days after such levy: *Provided*, Said property is not redeemed by the owner or owners thereof by paying said taxes, with additional charges: *Provided further*, That said sheriff or tax collector shall give two days' notice of the time and place of said sale, with a description of the property to be sold, by advertisements put up in three public places in the county; and if for any cause no bidders shall appear at such sale, it shall be the duty of said sheriff or tax collector to remove said property to any place where the same can be sold, and said property shall then and there be disposed of without delay; and if any of the proceeds of such sale shall remain after paying said taxes, addition and cost, the same shall be returned to the person upon whom the levy was made.

SEC. 5. *Be it further ordained*, That the sheriff or *ex officio* tax collector shall have power, and it shall be his duty, to administer an oath to any person or persons as to his, her, or their valuation of stock on hand, or of the personal property now in their possession, and shall have power to examine all books and papers of merchants and others, in order to carry out the provisions of sections 2 and 3 of this ordinance; and if any person shall refuse to take such oath, or if the said sheriff shall be dissatisfied as to the statement of the value or amount of personal property or stock on hand, he shall have power to call in a disinterested citizen of the county to assess such property, and such person's decision shall be final and binding upon all parties.

SEC. 6. *Be it further ordained*, That all warrants issued by authority of this convention (and none others) and currency of the United States shall be received by the several sheriffs and tax collectors in payment of the tax herein assessed; and when said collectors shall have funds on hand, collected under and by virtue of this ordinance, and any person having the warrants of this convention may present the same to said sheriffs or tax collectors, who shall redeem the same at their face value.

SEC. 7. *Be it further ordained*, That the sheriff and tax collector shall, at the end of every five days, (beginning ten days after the receipt of a copy of this ordinance,) transmit to the treasurer of the State the amount of money so collected and warrants so received, with a statement of the names of persons from whom collected, the amount each one has paid; and when the tax is all collected said collectors shall forward to said treasurer a final statement of the moneys so collected, together with an affidavit that said statement contains a true and correct exhibit of all moneys collected by him under and by virtue of the provisions of this ordinance: *Provided*, That the moneys herein directed to be sent to the treasurer shall in all cases be forwarded through the nearest express office, and that each collector shall be reimbursed for all expenses incurred in transmitting said funds to the treasurer: *Provided further*, That when there is no express office in the county, then and in that case the collectors shall be only required to make returns as herein provided in every ten instead of every five days: *Provided further*, That any person or persons who shall have paid any tax upon any property under and by virtue of any ordinance heretofore passed by this convention shall be exempt from payment of a further tax upon such property by this ordinance: *And provided further*, That if any person shall have paid to the collector any sum of money as a tax assessed by a former ordinance of this convention, on any property or subject not taxable by this ordinance, it shall be the duty of such collector to refund the amount by him so paid to the party paying the same.

SEC. 8. *Be it further ordained*, That the said tax collector shall receive, in full compensation for services in collecting said tax, five per cent. of the amount so collected.

SEC. 9. *Be it further ordained*, That the taxes due from railroads, under and by virtue of this ordinance, shall be collected as follows: Upon the New Orleans, Jackson and Great Northern railroad, by the sheriff of Hinds county; upon the Vicksburg and Meridian railroad, by the sheriff of Warren county; upon the Mississippi Central railroad, by the sheriff of Holmes county; upon the Mobile and Ohio railroad, by the sheriff of Tishomingo county; upon the Mississippi and Tennessee railroad, by the sheriff of Yalabusha county; upon the Meridian and Selma railroad, by the sheriff of Lauderdale county; upon the Memphis and Charleston railroad, by the sheriff of Tishomingo county; upon the West Feliciana railroad, by the sheriff of Wilkinson county; upon the Grand Gulf and Port Gibson railroad, by the sheriff of Claiborne county. And if any railroad company shall neglect or refuse to pay the tax levied under and by virtue of this ordinance, the sheriffs of the counties above named shall have power, and they are hereby authorized, to seize upon the materials or the rolling-stock of such railroads that may come within their jurisdiction, and hold the same until said taxes are paid, together with all expenses incurred in seizing upon and holding said property.

SEC. 10. *Be it further ordained*, That the taxes due from any express or telegraph company, by reason of this ordinance, shall be collected by the sheriff of Hinds county.

SEC. 11. *Be it further ordained*, That when any real estate shall be assessed, and no personal property of the delinquent tax payer can be found upon which to levy said tax, the said tax collector shall proceed as now required by law for the sale of lands for taxes.

SEC. 12. *Be it further ordained*, That the said tax collectors shall have power to appoint any and all deputies (being responsible for the faithful performance of their duty) to carry into immediate effect the provisions of this ordinance. And any sheriff, tax collector, or

deputy, who shall neglect or refuse to carry out the provisions of this ordinance shall be liable to the same penalties as defaulting collectors.

SEC. 13. *Be it further ordained*, That the State treasurer shall receive the warrants issued by authority of this convention from all tax collectors herein appointed, upon the tax collected under and by virtue of this ordinance, and shall redeem said warrants when in funds, as aforesaid, from any person who may present the same to him for redemption; and all warrants so received by said treasurer shall be cancelled as now provided by law.

SEC. 14. *Be it further ordained*, That all warrants issued by authority of this convention, signed by the president and countersigned by the secretary prior to the first day of March, 1868, shall be received by all tax collectors in payment of the taxes herein assessed, and shall be redeemed by said collectors, or by the State treasurer, as provided herein.

SEC. 15. *Be it further ordained*, That the president of this convention shall, on the 1st day of March next, or as soon thereafter as practicable, furnish to the treasurer a detailed statement of all warrants issued by him under and by authority of this convention, including the dates, amount of each, and numbers, up to the 1st day of March, 1868.

SEC. 16. *Be it further ordained*, That after the 1st day of March, 1868, the auditor of this State shall issue warrants in payment of all expenses of this convention, upon accounts, when presented to him audited by the auditor of this convention, signed by the president and countersigned by the secretary. Each warrant so issued shall have written or printed upon its face the words, "For Constitutional Convention."

SEC. 17. *Be it further ordained*, That any sheriff who shall collect any State or county tax, after the receipt of a copy of this ordinance, without collecting the additional tax herein assessed, shall be deemed guilty of misdemeanor, shall be tried as now provided by law, and, upon conviction, be imprisoned for a term not less than one nor more than five years.

SEC. 18. *Be it further ordained*, That any sheriff, tax collector, or State treasurer, who shall substitute or attempt to substitute any warrants in place of any funds in his hands, collected by virtue of this ordinance, except in due course of redemption, shall be deemed guilty of misdemeanor, and shall be tried, and upon conviction shall be punished as provided in the foregoing section.

SEC. 19. *Be it further ordained*, That it shall be the duty of the auditor of this State to furnish each sheriff with a copy of this ordinance, immediately after its passage, and all necessary blanks to carry the same into effect.

SEC. 20. *Be it further ordained*, That if any moneys shall remain in the hands of the treasurer, after paying the expenses of this convention, they shall be invested in United States securities at their market value, which securities shall be held subject to the order of the next legislature at its first meeting: *Provided*, If this convention shall be again called together, in that case the securities shall be held subject to the order of the convention.

SEC. 21. *Be it further ordained*, That any tax collector, treasurer, or other officer appointed by this convention, or in accordance with this ordinance, who shall embezzle or fraudulently use, loan, convert, or attempt to convert, any of the said funds herein authorized to be collected to his own use, or apply them in any manner not herein provided for, shall be deemed guilty of embezzlement, and shall be prosecuted in any court in this State having competent jurisdiction, and upon conviction shall be fined and imprisoned as now provided by law.

SEC. 22. *Be it further ordained*, That any and all officers of the State of Mississippi, upon whom power or authority is conferred under and by virtue of this ordinance, be and the same are hereby declared provisional only, and the said power or authority is at all times subject to be modified or repealed altogether by the power conferring the same.

SEC. 23. *Be it further ordained*, That all tax receipts and other necessary blanks to carry into effect the provisions of this ordinance shall be printed by the official printer of this convention.

SEC. 24. *Be it further ordained*, That the State treasurer shall receive and disburse all moneys collected under and by virtue of this ordinance: *Provided*, That no disbursements shall be made except upon warrants issued by the auditor of public accounts of the State of Mississippi, upon certificates signed by the president and countersigned by the secretary of this convention. He shall, as often as may be deemed necessary by this convention, furnish a detailed statement of all moneys received and disbursed by him in accordance with this ordinance; and all books and papers in his office, relating to this convention, shall at all times be open to the inspection of the finance or other committee, specially appointed by the convention for that purpose.

SEC. 25. *Be it further ordained*, That an ordinance providing for the levy and collection of a tax to defray the expenses of the constitutional convention of the State of Mississippi, passed February 19, 1865, be and the same is hereby repealed.

B. B. EGGLESTON, *President*.

T. P. SEARS, *Secretary*.

By command of Brevet Major General Alvan C. Gillem:

JOHN TYLER,  
First Lieutenant 43d Infantry, Brevet Major U. S. A., A. A. A. G.

A true copy:

• •

NAT. WOLFE,  
Second Lieutenant 34th Infantry, A. A. A. G.

## No. 30.

OFFICE OF AUDITOR OF PUBLIC ACCOUNTS,  
*Jackson, Mississippi, May 13, 1868.*

SIR: I am this day in receipt of General Orders No. 10, under date March 10, 1868, in which the following clause occurs: "The auditor of public accounts of the State of Mississippi will issue the warrants as provided by the 16th section of the accompanying ordinance," which will be complied with.

I beg to know if it is the wish of General Gillem that I should comply with the requirements of the 19th section of said ordinance; and if so, I would be glad to have his construction as to what property is taxable under the first and second sections of said ordinance, that I may be able to furnish proper instructions to the collectors.

I herewith enclose a list of the items of taxation for the fiscal year 1867, in order that the general may designate what items are subject to taxation under said ordinance.

I have the honor to be, very respectfully, your obedient servant,  
 THOS. T. SWANN,  
*Auditor Public Accounts.*

Major JOHN TYLER,  
*A. A. A. G., Vicksburg, Mississippi.*

A true copy :

NAT. WOLFE,  
*Second Lieut. 34th Infantry, A. A. A. G.*

## No. 31.

HEADQUARTERS FOURTH MILITARY DISTRICT,  
*Vicksburg, Mississippi, March 14, 1868.*

SIR: I am directed by the general commanding to acknowledge the receipt of your communication of the 13th instant, acknowledging receipt of General Orders No. 10, current series, from these headquarters, and requesting to be informed as to whether it is the wish of the general commanding that you should comply with the requirements of the 19th section of the tax ordinance, and his construction as to what property is taxable under the first and second sections of said ordinance.

In reply I am directed to say that you will furnish the necessary blanks, to be procured as required by section 23; that, in the opinion of the general commanding, the true intent of sections one and two is, that the special tax of 50 per cent., &c., shall be added to the State tax assessment rolls for 1867, and the tax of one-half of one per cent. under section two is an additional tax upon all property not specially taxed in the following sections of the ordinance. The tax levied by the convention being only levied upon real and personal property, stocks of goods, &c., all articles upon the list of items not coming within that description will be exempted.

I have the honor to enclose herewith 200 copies of General Orders No. 10, for distribution to sheriffs under section 19.

I am, sir, very respectfully, your obedient servant,

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

Hon. THOS. T. SWANN,

*Auditor State of Mississippi, Jackson, Mississippi.*

A true copy:

NAT. WOLFE,

*Second Lieut. 34th Infantry, A. A. A. G.*

### No. 32.

[Endorsement on (C. 39, A. 1868.)]

Communication of A. Alderson, chairman of committee, dated Jackson, Mississippi, January 29, 1868, enclosing a letter addressed to General Ord, in which certain inquiries are made relative to the truth of the reports upon which the proclamation of Governor Humphreys was issued. States that the committee, upon making inquiry of the governor, were informed by him that the proclamation was issued at the request of General Ord, and the letters and papers relating to the matter were in General Ord's possession, and he could give no information without his permission. The committee were then ordered to apply to General Ord for information that he might have, but not knowing where to address him, they request that the general commanding will forward the enclosed letter; and also, if not inconsistent with his obligation, that he will give them any information that he may be in possession of which relates to the matter above mentioned.

Received January 31, 1868.

Respectfully transmitted to Brevet Major General E. O. C. Ord, United States army, Holly Springs, Mississippi, as requested within by Hon. A. Alderson, chairman of committee, with copy of my reply to Mr. Alderson for General Ord's information.

ALVAN C. GILLEM,

*Brevet Major General U. S. A., Commanding.*

A true copy:

NAT. WOLFE,

*Second Lieut. 34th Infantry, A. A. A. G.*

### No. 33.

HEADQUARTERS FOURTH MILITARY DISTRICT,

*Vicksburg, Mississippi, February 3, 1868.*

SIR: I am directed by the general commanding to acknowledge the receipt of your communication of the 29th ultimo, enclosing a letter addressing Brevet Major General Ord, late commanding this district, upon the subject of the proclamation of his excellency Governor Humph-



reys, dated December 9, 1867, and in reply thereto to inform you that, as requested, the letter above referred to has this day been mailed to General Ord, at Holly Springs, Mississippi.

I am, sir, very respectfully, your obedient servant,

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

Hon. A. ALDERSON,

*Chairman Committee Miss. Constitutional Convention,  
Jackson, Mississippi.*

A true copy:

NAT. WOLFE,

*Second Lieut. 34th Infantry, A. A. A. G.*

No. 34.

JACKSON, MISSISSIPPI, *February 24, 1868.*

SIR: As chairman of the committee to investigate the truth of the report of illegal combinations of evil-disposed persons to disturb the peace, seize lands, establish farms, &c., upon which the proclamation of Governor Humphreys of December 9, 1867, was founded, I addressed a letter to him on the subject, and in his reply he informed me that Major General Ord was in possession of all the letters, papers, &c. I then wrote to General Ord, and in his reply he says he turned all the letters, &c., over with the command of the fourth military district, not even retaining a copy, &c.

I reported these facts to the convention, and am instructed to request of you any information you may be in possession of with regard to the truth of the reports upon which said proclamation was founded, to the end that the public may be put in possession of all the facts pertaining to said reports and proclamation so that the truth or falsity of said combinations might be brought to light and fully established. As chairman of said committee, I would therefore respectfully request of you any information in your possession touching said reports that combinations and conspiracies are being formed among the blacks to seize lands, establish farms, &c., so that I may be able to make a full report to the convention of all the facts pertaining to said proclamation, and the circumstances that led to its being issued.

Hoping that I may receive an early reply to all the information you may deem just and proper for the purpose above stated,

I am, very respectfully, your obedient servant,

A. ALDERSON,

*Chairman Committee.*

General A. C. GILLEM, *Vicksburg, Mississippi.*

A true copy:

NAT. WOLFE,

*Second Lieut. 34th Infantry, A. A. A. G.*

No. 35.

HEADQUARTERS FOURTH MILITARY DISTRICT,

*Vicksburg, Mississippi, March 17, 1868.*

SIR: I am directed by the general commanding to acknowledge the receipt of your communication of the 24th ultimo asking to be furnished

with any information in his possession upon which the proclamation of his excellency the governor, referred to by you, was based, and in reply thereto to inform you that the general commanding, upon due consideration of the character of the reports made to his predecessor, General Ord, upon which the action was taken, finding that they partake of a confidential nature, also with regard to the considerable evils and little good that would seem to result from their publication, has decided that it would be incompatible with his duty to comply with your request. At the same time the general commanding desires to inform you that he never shared in the belief that insurrection was meditated by any class of the inhabitants of this State.

I am, sir, very respectfully, your obedient servant,

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

Hon. A. ALDERSON,

*Chairman Committee Constitutional Convention  
for the State of Mississippi, Jackson, Miss.*

A true copy:

NAT. WOLFE,

*Second Lieut. 34th Infantry, A. A. A. G.*

#### No. 36.

MISSISSIPPI CONSTITUTIONAL CONVENTION,

HALL OF REPRESENTATIVES,

*Jackson, Mississippi, March 9, 1868.*

SIR: In accordance with a resolution embraced therein I hand you an extract from the proceedings of this body for information.

I am, very respectfully, yours,

THAD. P. SEARS, *Secretary.*

Brevet Major General A. C. GILLEM,

*Commanding Fourth Military District.*

A true copy:

NAT. WOLFE,

*Second Lieut. 34th Infantry, A. A. A. G.*

[Extract.]

*Proceedings of Mississippi constitutional convention, 53d day, March 7, 1868.*

Whereas it has come to the knowledge of this convention that many of the colored people of this State came into possession of personal property in 1863, 1864, and 1865 by lawful means; and

Whereas, since the surrender of the rebel armies, many white parties pretending to have been masters and owners of said colored persons, on the ground that said personal property was acquired by them while in a state of slavery, have seized said property on the old plea that said colored persons were their slaves, and that all property acquired by them while in this condition belonged absolutely, by operation of law, to their masters; and

Whereas great frauds have been committed in this way by evil disposed persons, in seizing and taking away and appropriating to themselves said property without regard to right or justice; and

Whereas courts of law have hitherto failed to mete out equal and exact justice to said colored persons in protecting them in their lawful rights: Therefore, be it

*Resolved*, That all persons that have seized hitherto, or shall hereafter seize, any property in this way, under such pretended right to said property, be compelled to restore the same and reasonable damages for such seizures; and in case said property cannot be restored, then the person or persons so taking shall pay the full value of said property so seized and taken away and appropriated as aforesaid.

*Resolved*, That General Gillem be requested by this convention to issue a special order to enforce the above resolution, to the end that property so seized and appropriated, or its value, be restored to the persons from whom it was taken.

*Resolved*, That the president sign these resolutions, and that the secretary immediately forward the same to General Gillem.

Adopted.

B. B. EGGLESTON, *President*.

A true copy:

THAD. P. SEARS, *Secretary*.

A true copy:

NAT. WOLFE,  
*Second Lieut. 34th Infantry, A. A. A. G.*

### No. 37.

HEADQUARTERS FOURTH MILITARY DISTRICT,  
*Vicksburg, Mississippi, March 17, 1868.*

SIR: I am directed by the general commanding fourth military district to acknowledge the receipt of a copy of resolutions concerning property owned by persons of color, and in reply, to inform you that by the third section of the act passed March 2, 1867, and known as the military reconstruction bill, it is made the duty of the commanding general "to protect all persons in their rights of persons and property," and in any instance brought to his notice where any persons, without regard to race or previous condition, are deprived of their property, measures will be at once taken to secure to them what is justly theirs.

I am, sir, very respectfully, your obedient servant,

JOHN TYLER.

*First Lieut. 43d Inf., Brevel Major U. S. A., A. A. A. G.*

Hon. A. ALDERSON,

*Chairman Committee Constitutional Convention,  
for the State of Mississippi, Jackson, Mississippi.*

A true copy:

NAT. WOLFE,  
*Second Lieut. 34th Infantry, A. A. A. G.*

## No. 38.

MISSISSIPPI CONSTITUTIONAL CONVENTION,  
HALL OF REPRESENTATIVES,  
*Jackson, Mississippi, April 13, 1868.*

Brevet Major General A. C. GILLEM,  
*Commanding Fourth Military District :*

Herewith I hand you for information extract from the proceedings of this body.

Very respectfully, yours,

T. P. SEARS, *Secretary.*

[Extract.]

MISSISSIPPI CONSTITUTIONAL CONVENTION,  
*Jackson, Mississippi, April 13, 1868.*

Mr. Gibbs, of Wilkinson county, offered the following :

*Resolved*, That 50,000 copies of the ordinance on contracts, passed by this convention, be printed in circular form for circulation, and that the commanding general of the district be requested to enforce the provisions of the same.

Adopted.

AN ORDINANCE providing for the protection of electors, passed by the Mississippi constitutional convention, March 13, 1868.

SECTION 1. That no contracts shall be valid which in any manner abridge or affect the right of franchise of either party, and any person or persons demanding such conditions shall, upon conviction thereof before any court having competent jurisdiction, be disfranchised for the term of five years and pay a fine of not less than five hundred dollars.

SEC. 2. Whoever shall dismiss from any employment any person or persons for having exercised the right of franchise shall, upon conviction, be fined not less than two hundred and fifty dollars, and be disfranchised for the term of five years.

A true copy:

THAD. P. SEARS, *Secretary.*

A true copy:

NAT. WOLFE,  
*Second Lieut. 34th Infantry, A. A. A. G.*

## No. 39.

HEADQUARTERS FOURTH MILITARY DISTRICT,  
*Vicksburg, Mississippi, April 28, 1868.*

SIR: I have the honor to acknowledge the receipt of your communication of the 26th instant, recommending a gentleman for a State office, and stating that he could not accept if required to take the oath prescribed by the act of July 17, 1862, and known as the "iron-clad."

In reply I have to inform you that such confidence is placed in your recommendation that the appointment should have been made had not the act of July 19, 1867, section 9, required that all persons appointed to office by district commanders shall take and subscribe the oath of office prescribed by law for officers of the United States.

In this connection I hope you will not consider as misplaced a few

observations in reference to the recent action of the constitutional convention prescribing the qualifications for offices in this State. If I am not misinformed all persons who have aided or abetted in the rebellion in any manner, except as private soldiers, are forbidden to hold office. No person is more fully aware than yourself that I have abstained entirely from all interference with, or attempt to influence, the convention in any of its actions. My position as district commander has afforded me an opportunity of becoming familiar with the effect of the proviso above alluded to.

As you are well aware, but few removals from office have been made in this district, and I assure you it has been with the greatest difficulty that persons with the necessary attainments have been found, and who could take the required oath. It is true that the action of the convention extends the field for selection to those who have served as private soldiers in the rebel army, but I very much doubt if many persons qualified for high official position can be found among those who during a four years' war did not rise above the grade of private soldiers. And if it is found difficult to find persons qualified to fill the few vacancies created by removals and resignations, what will be the condition of affairs when all the officers, State and county, are to be filled at a general election. In many counties of this State the parties known as conservative have majorities; they will elect persons who represent their political ideas, and who from youth, inexperience, or lack of appreciation of the true interests of the people will fail to secure what no doubt is the object of the convention, the efficient administration of the law and the prosperity of the State. Under the restrictions imposed by the convention, I believe it will be impossible to secure persons with the necessary qualifications to fill the judicial offices in Mississippi.

For these reasons I much regret that the convention have gone beyond the requirements of the laws under which it was assembled.

I am, sir, very respectfully, your obedient servant,

ALVAN C. GILLEM,

*Brevet Major General U. S. A., Com'g Fourth Mil. District.*

Hon. GEO. C. MCKEE,

*Member Constitutional Convention, Jackson, Miss.*

A true copy:

NAT. WOLFE,

*Second Lieut. 34th Infantry, A. A. A. G.*

No. 40.

PRESIDENT'S OFFICE, VICKSBURG AND MERIDIAN RAILROAD,  
*Vicksburg, Mississippi, April 7, 1868.*

GENERAL: Ascertaining from the highest legal authority in the State that this company is exempt from taxation by a chartered right, I respectfully ask your attention to the decision of the high court of this State reported in the volume sent, page 334, "The Southern Railroad Company *vs.* The Mayor and Aldermen of the City of Jackson." By the 15th section of the act of 27th February, 1854, incorporating the South-western Air Line Extension Railroad Company, "it is enacted that the fixtures and property of said company shall be exempt from taxation for and during the full period of twenty years from the passage of this act, and that the privilege and benefits of this provision shall be ex-

tended to all railroad charters heretofore granted by the legislature of this State, as well as those hereafter to be granted, unless specially excepted, and the same shall be a part of said charters." This provision exempts all the property of railroad companies from municipal as well as State and county taxation. I hope after examining the case, if you are satisfied that this company is exempt, you will sustain me in declining to pay the tax assessed by the State convention now in session. I will thank you to return the volume as soon as you have done with it.

Yours, very respectfully,

M. EMANUEL, *President.*

General A. C. GILLIM,  
*Commanding, &c., Vicksburg.*

HEADQUARTERS FOURTH MILITARY DISTRICT,  
*Vicksburg, Mississippi, April 11, 1868.*

Respectfully referred to Brevet Colonel Henry Goodfellow, judge advocate of the district, for his opinion.

By command of Brevet Major General Alvan C. Gillem:

JOHN TYLER,  
*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

HEADQUARTERS FOURTH MILITARY DISTRICT,  
*Vicksburg, Mississippi, April 14, 1868.*

Respectfully returned to Brevet Major John Tyler, acting assistant adjutant general.

Regarding the authority granted by Congress to the convention for the purpose of taxation not more extensive than the power of a legislature of the State in relation to taxation. I consider, in view of the act of the legislature of February 27, 1854, and of the judicial construction of that act by the supreme court of the State, in the case of *Southern Railroad Company vs. Mayor and Aldermen of Jackson*, reported in 9 George, p. 334, that the property of this railroad (understood to be the successor of, or to stand on the same footing as, the *Southern Railroad Company*) is properly exempt from taxation under the tax ordinance of the constitutional convention.

It may be added, however, as affecting the question in relation to other railroads, that by article 44, of chapter 35, of the revised code of the State, which took effect November 1, 1857, the 15th section of the act of February 27, 1854, incorporating the *Southwestern Air Line Extension Railroad Company*, was repealed. The legal effect of this repeal would appear only to debar railroad companies chartered after its date from the benefits of the exception.

HENRY GOODFELLOW,  
*Judge Advocate U. S. A.*

A true copy:

NAT. WOLFE,  
*Second Lieut. 34th Infantry, A. A. A. G.*

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No. 41.

JACKSON, April 11, 1868.

GENERAL: By ordinance of the constitutional convention in relation to collection of a special tax to defray the expenses of that body, section nine requires that the tax on the New Orleans, Jackson and Great

Northern railway shall be collected by the sheriff of Hinds county, and in the event of the refusal on the part of the company or its agents to comply with the terms of the ordinance, the sheriff is authorized to seize upon the materials or rolling stock \* \* \* and hold the same until the taxes are paid. The road claims to be exempt from taxes by the statute of February 27, 1854, and the agents here refuse to comply with requirements of the ordinance, and it is proclaimed that the managers intend prosecuting the sheriff and his sureties should travel or business be interrupted by levying on rolling stock, to force payment of the constitutional convention tax on that species of property.

I respectfully ask for your instructions in this case, which as in duty bound I shall obey to the letter.

Most respectfully,

THOMAS PALMER,  
*Sheriff Hinds County.*

Brevet Major General ALVAN C. GILLEM.

HEADQUARTERS FOURTH MILITARY DISTRICT,  
*Vicksburg, Mississippi, April 16, 1868.*

Respectfully referred to the Hon. Thomas T. Swann, auditor of the State of Mississippi, who is requested to decide upon the questions presented in the enclosed papers and instruct sheriffs accordingly.

Reference is made to report of Brevet Colonel Henry Goodfellow, judge advocate of the district, within enclosed.

A return of these papers with report of action taken is requested.

By command of Brevet Major General Alvan C. Gillem:

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

A true copy:

NAT. WOLFE,

*Second Lieut. 34th Infantry, A. A. A. G.*

No. 42.

OFFICE OF AUDITOR OF PUBLIC ACCOUNTS,  
*Jackson, Mississippi, April 22, 1868.*

SIR: I respectfully return the papers you sent me relative to the tax on property of railroads, and enclose herein correspondence between the attorney general and myself on the same subject.

The attorney general decides (and I agree with him in opinion) that the property of railroads is exempt from all State, county, and municipal taxes. Should the commanding general sanction this construction of State law, and if he is of opinion that the various railroads in the State of Mississippi are also exempt from the tax levied by the constitutional convention and will so advise me, I will immediately notify the sheriff not to collect said tax.

Most respectfully, your obedient servant,

THOMAS T. SWANN,  
*Auditor Public Accounts.*

Major JOHN TYLER,  
*A. A. A. G., Vicksburg, Mississippi.*

A true copy:

NAT. WOLFE,  
*Second Lieut. 34th Infantry, A. A. A. G.*

## No. 43.

OFFICE OF AUDITOR OF PUBLIC ACCOUNTS,  
*Jackson, Mississippi, April 18, 1868.*

DEAR SIR: Let me call your attention to the 44th article of chapter 35, section 8, page 299, of the revised code of Mississippi, repealing the 15th section of the act of 1854, under which act the Southwestern Air Line Extension Railroad Company was incorporated. I desire to know if lands and other property of railroads in the State of Mississippi are not subject to taxation since that section of the act of 1854 was repealed by the article in the code above cited.

Your opinion officially in writing, at as early a day as possible, is respectfully requested.

Your obedient servant,

THOMAS T. SWANN,  
*Auditor Public Accounts.*

Hon. C. E. HOOKER, *Attorney General.*

A true copy:

NAT. WOLFE,  
*Second Lieut. 34th Infantry, A. A. A. G.*

## No. 44.

ATTORNEY GENERAL'S OFFICE,  
*Jackson, Mississippi, April 23, 1868.*

SIR: Your favor 18th instant to hand, in which you desire my official opinion as to the power of the State of Mississippi to levy a tax on the property of railroads in the State of Mississippi, and the question is asked by you in view of the provisions of the 15th section of an act of the legislature of the State, approved February 27, 1854, exempting the property, fixtures, and rolling stock of the roads then chartered, and thereafter to be chartered, from taxation for the period of 20 years, and in view of the provision of the 44th article of section 8, of chapter 35, revised code of 1857, by which the 15th section of the act of 1854 was repealed.

The act of 1854, exempting the property of railroads from taxation, underwent judicial investigation in the case of *Southern Railroad Company vs. Mayor and Aldermen of the City of Jackson*, 38 Mississippi Reports, p. 334, and the court of last resort in Mississippi decided that the power to tax did not exist either in the State or the corporate authorities of the city of Jackson. It is true that the court do not refer in terms to the provision of the revised code repealing the 15th section of act of 1854 in their opinion. But it is not to be presumed the learned counsel who conducted the case before the court were ignorant of the repealing provision of the code of 1857, and certainly the court were apprised of this repeal, as one of the judges who presided at the trial (Hon. William L. Harris) was one of the commissioners who compiled the revised code of 1857.

I am therefore of the opinion that the exemption from taxation of all railroad property for a given period of years is a vested and chartered right, which is not interfered with by the subsequent repeal, and such must have been the opinion of the high court of errors and appeals in



the case above referred to, and that it applied to all railroad charters granted by the State of Mississippi, prior to the adoption of the revised code of 1857, containing repealing statute.

Very respectfully, your obedient servant,

C. E. HOOKER,  
*Attorney General of Mississippi.*

Hon. THOMAS T. SWAN,  
*Auditor of Public Accounts,  
Auditor's Office, Jackson, Mississippi.*

A true copy :

NAT. WOLFE,  
*Second Lieut. 34th Infantry, A. A. A. G.*

No. 45.

[Telegram.]

HEADQUARTERS FOURTH MILITARY DISTRICT.  
*Vicksburg, Mississippi, April 25, 1868.*

Hon. THOMAS T. SWANN,  
*Auditor, Jackson, Mississippi :*

Notify sheriffs to refrain from collecting the convention tax on railroads.

JOHN TYLER.  
*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

A true copy :

NAT. WOLFE,  
*Second Lieut. 34th Infantry, A. A. A. G.*

No. 46.

[Extract.]

*Proceedings of the Mississippi constitutional convention, March 16, 1868.*

Whereas, the convention has nearly completed a constitution to be submitted to the people for ratification, and believing it to be of vital importance that the constitution thus to be voted on should be so presented to the people as to secure a full and free expression of their opinions on the same, and that the relations of the State of Mississippi with the federal Union should be restored as speedily as possible : Therefore, be it

*Resolved,* That in accordance with the powers conferred by sections 5 and 8 of the supplementary reconstruction bill of March 2, 1867, that a committee of five be appointed from the members of this convention, to be designated a committee on general arrangements, who shall have power to sit during the adjournment of the convention, to confer with the general commanding this district and arrange a plan to hold elections for the ratification or rejection of the constitution, the election of State officers and members of the State legislature, and all other powers necessary to carry into effect the purposes of the reconstruction acts and the acts supplementary thereto.

*Be it further resolved*, That said committee shall hold their meetings at the State capitol during the adjournment of the convention, and shall, as soon as possible after the elections are held, ascertain and make proclamation of the result thereof, and in case the constitution is rejected shall immediately issue a proclamation for the reassembling of the convention.

Said committee shall receive such compensation for their services as may hereafter be determined and provided for, and their term of service shall continue until the results of the elections are ascertained and proclamation made of same, and, in case of the rejection of the constitution, until the reassembling of the convention, and no longer.

A true copy :

THAD. P. SEARS, *Secretary*.

A true copy :

NAT. WOLFE,  
*Second Lieut. 34th Infantry, A. A. A. G.*

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No. 47.

HEADQUARTERS SUB-DISTRICT OF MISSISSIPPI,  
*Vicksburg, Mississippi, June 3, 1868.*

MAJOR: In answer to the endorsement referring a copy of an ordinance of the constitutional convention for my remarks, I beg leave to say that said ordinance, ordaining that the warrants issued by authority of the convention shall be received from all tax collectors for all taxes, and by the treasurer of the State in payment of all dues due the State, as well as in payment of the convention tax, is in my opinion unauthorized by the law under which the convention was assembled.

The only authority possessed by the constitutional convention to levy and collect a tax is that given in the 8th section of the act of March 23, 1867, which directs that said convention shall provide for the levy and collection of such taxes on the property in the State as may be necessary to pay the same, meaning the expenses not otherwise provided for in said act. It will be observed that this act confers authority to levy a tax in no other manner than upon the property in such State. Now, as a large proportion of the tax collected from the people of Mississippi to defray the expenses of the civil government is levied upon franchises, incomes, percentage on sales, and in various ways other than on property, it will be seen that the effect of this ordinance of the convention would be indirectly to levy a tax not authorized by the section and act above quoted.

Moreover, the laws of the State of Mississippi, under which the ordinary taxes are collected, prescribe the funds which shall be received on payment of said taxes. The convention warrants are not among the funds to be so received; and it is not believed the convention had the legislative powers to change or modify the funds or manner of paying other taxes or dues than those accruing from their own expenses, and I am therefore of opinion that this ordinance should not be in force.

I am, very respectfully, your obedient servant,

ALVAN C. GILLEM,  
*Brevet Major Gen. U. S. A.,*  
*Commanding Sub-District of Mississippi.*

Major JOHN TYLER,  
*A. A. A. G., Fourth Military District.*

A true copy :

NAT. WOLFE,  
*Second Lieut. 34th Infantry, A. A. A. G.*

No. 48.

[Extract.]

*Proceedings of the Mississippi constitutional convention, April 29, 1868.*

The president announced the following delegates as a committee of five on ratification of the constitution, &c.: Mr. Gibbs, of Wilkinson; Mr. Barry, of Holmes; Mr. Weir, of Oktibbeha; Mr. Stringer, of Warren.

A true copy:

THAD. P. SEARS, *Secretary.*

A true copy:

NAT. WOLFE,  
*Second Lieut. 34th Infantry, A. A. A. G.*

No. 49.

MISSISSIPPI CONSTITUTIONAL CONVENTION,  
HALL OF REPRESENTATIVES,  
*Jackson, Mississippi, May 14, 1868.*

SIR: I herewith transmit extract of proceedings of Mississippi constitutional convention for your information.

Very respectfully, your obedient servant,

THAD. P. SEARS, *Secretary.*

General A. C. GILLEM,

*Com'g Fourth Military District, Vicksburg, Miss.*

[Extract.]

*Proceedings of the Mississippi constitutional convention, May 14, 1868.*

Whereas it has come to the knowledge of this convention that General A. C. Gillem, commanding the district, has directed the sheriffs of the several counties not to collect the taxes levied upon railroads in this State, contrary to the provisions of the tax ordinance: Therefore, be it

*Resolved*, That Benjamin K. Orr, delegate from Harrison county, be instructed to proceed to Vicksburg and confer with the general commanding in reference to the collection of said taxes.

Adopted.

A true copy:

THAD. P. SEARS, *Secretary.*

A true copy:

NAT. WOLFE,  
*Second Lieut. 34th Infantry, A. A. A. G.*

## No. 50.

*Memorandum.*

HEADQUARTERS FOURTH MILITARY DISTRICT,  
*Vicksburg, Mississippi, May 15, 1868.*

The convention has the same power to tax property in the State of Mississippi that is possessed by the Congress of the United States, and that the convention do not recognize any State law or chartered rights granted by the State of Mississippi wherein real or movable property is exempted from taxation.

That if General Gillem does not enforce the payment of the tax of one-half of one per cent. levied on railroad property, amounting to about \$50,000, it will be necessary for the convention to either delay its contemplated adjournment or meet again in about ten days for the purpose of levying an additional tax to supply the deficiency thus caused, which would involve a much heavier expense.

\* \* \* \* \*

I certify that the above was in my presence read over to Benjamin K. Orr, delegate to convention, and pronounced by him to be a correct version of his verbal statements made to General Gillem this date.

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

A true copy:

NAT. WOLFE,

*Second Lieut. 34th Infantry, A. A. A. G.*

## No. 51.

HEADQUARTERS FOURTH MILITARY DISTRICT,  
*Vicksburg, Mississippi, May 18, 1868.*

SIR: I am directed by the major general commanding to acknowledge the reception, at the hands of Hon. B. K. Orr, of a resolution of the constitutional convention relating to the collection of the tax on railroads, and in reply to state that the only authority for the collection of the tax alluded to is contained in the 2d section of the tax ordinance passed February 22, 1868, which provides "that a special tax of one-half of one per cent. be, and the same is hereby, levied upon the value of the stock now on hand in each dry-goods, grocery, drug, or provision store, and stocks of goods and merchandise, and all other invoiceable or personal property of every kind and nature not herein provided for."

Soon after the order directing the collecting of the tax levied in the above-named ordinance was promulgated a communication was received from the president of the Vicksburg and Meridian railroad, stating that under section 15 of the act of February 27, 1854, all the property, fixtures, and rolling stock of the roads then chartered, and thereafter to be chartered, were exempt from taxation for the period of 20 years.

This communication was referred to Colonel Goodfellow, judge advocate on the staff of the major general commanding, who reported that upon examination he found the law to be as quoted by the president of the Vicksburg and Meridian railroad, and that the high court of errors and appeals has decided, in the case of *The City of Jackson vs. Southern*

Railroad, that neither the State nor city authorities possessed the right to tax railroad property, and that, regarding the authority granted by Congress to the convention for the purpose of taxation as not more extensive than the powers of the legislature of the State, in relation to taxation, he considered the property of railroads exempt from taxation under the tax ordinance of the convention.

Colonel Goodfellow's report was forwarded to the State auditor, who was likewise directed to procure the opinion of the attorney general of the State on the same subject. This opinion was given at length, and concluded as follows:

I am of opinion that the exemption from taxation of all railroad property for a given period of years is a vested and chartered right, which is not interfered with by subsequent repeal, and such must have been the view taken by the high court of errors and appeals in the case above referred to, and that it applies to all railroad charters granted by the State of Mississippi prior to 1857.

After receiving and maturely considering the opinions given by the judge advocate on his staff and the attorney general of the State, as well as those of other able lawyers, the general commanding directed the State auditor to be informed that it was not his belief that, under existing laws and considering their chartered rights, the railroads in this State chartered prior to 1857 were liable to the tax levied by the convention. The general commanding does not believe that section 8 of the act of March 23, 1867, directing the convention to provide for levying and collecting a tax to defray its expenses, authorized the levying and collecting of a tax upon property exempt from taxation by charters from the State. In fact, the act limits instead of extending the right of taxation, by providing that the tax levied shall be on the property in such State, thereby excluding taxation on polls, professions, franchises, &c.

It is believed by the general commanding that the intention of the section above quoted was to direct that the tax should be levied and collected in the same manner and under the same regulations as governs the collection of other taxes in the State.

It should also be borne in mind that chartered privileges have the same force as contracts between individuals, and that when a charter is granted, accepted, and its conditions fulfilled by a company, it is vested with all the obligations of a contract. Exemption from taxation was one of the privileges granted by the legislature of Mississippi, February 28, 1854, to all railroads in the State. It is not claimed that these chartered rights have been forfeited, and therefore have all the force of any other contract; and attention is called to the fact that the Constitution of the United States forbids the enacting of any *ex post facto* law or any law impairing the obligations of contracts.

The Hon. Mr. Orr informs me that it was expected that about \$50,000 revenue would be derived from railroads in the State under the tax ordinance. The general commanding cannot believe that it was the intention of the convention that one-fourth of their estimated expenses should be derived from this source alone. Mr. Orr also informs me that the convention does not recognize any State law or chartered rights granted by the State of Mississippi wherein real or movable property is exempted from taxation. The general commanding conceives there must be some misunderstanding in this respect, as by such a construction of the tax ordinance churches, cemeteries, and school-houses chartered by the State would be liable to taxation. The general commanding regrets that his convictions prevent his compliance with the wish of the convention that he should enforce the collection of the tax levied upon railroads, and desires to assure your honorable body that he will enforce the collection of any tax which may be levied in compliance with the acts of Congress

known as the reconstruction acts, section 8; and he further desires to inform you that those sheriffs who failed to collect the tax heretofore levied will be directed at once to proceed to the collection of the same.

I am, sir, very respectfully, your obedient servant,

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

Hon. B. B. EGGLESTON,

*President Constitutional Convention, Jackson, Miss.*

A true copy:

NAT. WOLFE,

*Second Lieut. 34th Infantry, A. A. A. G.*

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No. 52.

[Extract.]

*Proceedings of the Mississippi constitutional convention, May 13, 1868.*

*Resolved*, That a certified copy of this report be furnished the commanding general of the fourth military district, and that the special attention of the commanding general is called to the delinquent counties, and that he be requested to have the tax ordinance aforesaid enforced forthwith.

A true copy:

THAD. P. SEARS, *Secretary.*

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Mr. PRESIDENT: Your committee appointed to confer with the State auditor and report the several amounts received by him from the various sheriffs of the State would respectfully submit the following report:

MASK,  
MORGAN,  
CUNNINGHAM,  
*Committee.*

*Amounts received by the State treasurer from the various tax collectors up to this date.*

County of Adams.....	\$4,822 18	County of Harrison.....	
County of Amite.....	2,482 37	County of Hinds.....	\$6,341 70
County of Attala.....	1,508 43	County of Holmes.....	
County of Bolivar.....		County of Issaquena.....	621 14
County of Calhoun.....	1,380 23	County of Itawamba.....	
County of Carroll.....	2,135 63	County of Jackson.....	
County of Chickasaw.....		County of Jasper.....	474 52
County of Choctaw.....	1,162 69	County of Jefferson.....	1,885 82
County of Claiborne.....	2,545 74	County of Kemper.....	
County of Clarke.....	644 13	County of Lafayette.....	2,283 31
County of Coahoma.....		County of Lauderdale.....	2,144 11
County of Copiah.....	3,352 31	County of Lawrence.....	2,171 28
County of Covington.....		County of Leake.....	497 91
County of Davis.....		County of Lee.....	814 69
County of De Soto.....	3,407 17	County of Lowndes.....	
County of Franklin.....	1,695 03	County of Madison.....	
County of Green.....	102 53	County of Marion.....	
County of Hancock.....		County of Marshall.....	5,255 52

*Amounts received by the State treasurer, &c.—Continued.*

County of Monroe.....	\$1,735 26	County of Tallahatchie.....	\$1,328 84
County of Neshoba.....		County of Tippah.....	1,517 92
County of Newton.....	1,219 07	County of Tishomingo.....	2,167 69
County of Noubee.....	4,799 64	County of Tunica.....	
County of Oktibbeha.....	1,221 35	County of Warren.....	4,906 16
County of Panola.....	3,278 42	County of Washington.....	1,603 57
County of Perry.....		County of Wayne.....	
County of Pike.....	439 40	County of Wilkinson.....	1,994 94
County of Pontotoc.....	832 28	County of Winston.....	711 27
County of Rankin.....	1,284 01	County of Yallabusha.....	5,922 84
County of Scott.....	446 25	County of Yazoo.....	3,691 47
County of Simpson.....	816 18		
County of Smith.....	733 93	Total.....	87,778 93
County of Sunflower.....			

From the following 19 counties no returns have been made:

Bolivar, Chickasaw, Covington, Davis, Kemper, Lowndes, Coahoma, Madison, Marion, Neshoba, Hancock, Holmes, Itawamba, Jackson, Perry, Sunflower, Tunica, Wayne, Harrison.

The following counties have sent informal reports, which have been returned to them for correction:

Tunica, Wayne, Lowndes, Calhoun.

Official:

THAD. P. SEARS, *Secretary.*

A true copy:

NAT. WOLFE,  
*Second Lieut. 34th Infantry, A. A. A. G.*

No. 53.

[Telegram.]

HEADQUARTERS FOURTH MILITARY DISTRICT,  
*Vicksburg, Mississippi, May 22, 1868.*

Hon. THOMAS T. SWANN,

*Auditor State of Mississippi, Jackson, Miss.:*

Real estate will be distrained for non-payment of the convention tax, the same as for other State taxes, and sold at same rates and under same conditions. Inform the sheriffs of all counties in the State to that effect.

ALVAN C. GILLEM,  
*Brevet Maj. Gen. U. S. A., Commanding.*

A true copy:

NAT. WOLFE,  
*Second Lieut. 34th Infantry, A. A. A. G.*

HEADQUARTERS FOURTH MILITARY DISTRICT,  
*Vicksburg, Mississippi, May 23, 1868.*

SIR: It having been reported at these headquarters that the sheriffs of many counties, especially those of Bolivar, Chickasaw, Covington, Davis, Kemper, Lowndes, Madison, Marion, Neshoba, Hancock, Holmes,

Itawamba, Jackson, Perry, Sunflower, Tunica, Wayne, Harrison, and Calhoun, have failed to make any satisfactory returns of the tax levied by the constitutional convention, while others have collected but small amounts, the general commanding directs me to inform you that it is expected that you will proceed to the collection of this tax. Non-compliance with this order will be considered as a failure to truly and faithfully execute all the duties of tax collector as required by your bond.

The supplementary tax ordinance passed by the convention May 7, 1868, will be so construed as to direct sheriffs to dispose of real estate distrained for non-payment of the convention tax, in the same manner and during the same time as provided for the sale of real estate distrained for other State taxes.

I am, very respectfully, your obedient servant,

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

To ———, *Sheriff of ——— County, Miss.*

A true copy:

NAT. WOLFE,

*Second Lieut. 34th Infantry, A. A. A. G.*

## APPENDIX B.

### No. 1.

[General Orders No. 19.]

#### HEADQUARTERS FOURTH MILITARY DISTRICT,

(MISSISSIPPI AND ARKANSAS,)

*Vicksburg, Miss., May 19, 1868.*

I. The Mississippi constitutional convention, convened at Jackson, Mississippi, in compliance with General Orders No. 37, series of 1867, from these headquarters, having framed a constitution and civil government in conformity with the laws of the United States known as the "reconstruction acts," and having provided for the submitting of said constitution to the registered voters for ratification or rejection, and having provided for an election of State officers, including senators and representatives in the State legislature, and members of the House of Representatives of the United States Congress, at an election to be conducted by and under the orders of the commanding general of the district, said election is, by authority of the above cited laws, and in accordance with an ordinance of said convention, hereby ordered to be held in Mississippi, beginning the 22d day of June, 1868, and continuing until completed as hereinafter prescribed, at which election the qualified electors may vote "For constitution," or "Against constitution," and also upon the same ballots for the officers herein referred to.

II. Commencing fourteen days before the election, the boards of registration will meet at the county seat or such other place in their respective counties as will be the most accessible to the people, after reasonable public notice of the time and place thereof has been given by the retained registrar, by means of a general and thorough distribution and posting of the printed notices furnished from these headquarters for that purpose, and revise for a period of five days the registration lists, and, upon being satisfied that any person not entitled thereto has been



registered, will strike the name of such person from the list, and such person shall not be allowed to vote. The boards will also, during the same period, add to the registry the names of persons who at the time possess the qualifications required by law, and who have not already registered. All changes made in the registration lists will be immediately, upon the termination of the period mentioned, reported by letter to these headquarters. These reports must show the name of the persons added or erased, the precinct and the number of the certificate of registration. In cases of erasure the reason will be given. If no changes are made that fact must be reported.

III. In order to secure as nearly as possible a full expression of the voice of the people, the election will be held at each precinct of every county of the State of Mississippi, and, as required by law, under the supervision of the county boards of registration. The method of conducting the election in each county will be as follows: At the meeting provided for in the foregoing paragraph, each board of registrars will divide the whole number of election precincts of their respective counties into three portions, as nearly equal in number as possible, and assign one of the shares thus made to each registrar, who will be responsible for the proper conduct of the election therein. Thereupon each registrar will appoint a judge and clerk of election, who, with himself, will constitute the "commissioners of election" for all the precincts of his district. Each registrar will provide himself with a ballot-box, with lock and key, and of sufficient size to contain the ballots of all the registered voters in his entire share of the county. Each registrar will give full and timely notice throughout his district of the day of election in each precinct, by means of handbills furnished for that purpose, so that he, with his judge and clerk, can proceed from precinct to precinct of his district, and hold election on consecutive days, when the distance between precincts will permit, with a view to the early completion of the voting. The election will be by ballot, and will be conducted in all details not herein prescribed according to the custom heretofore in use in the State. Each ballot will have written or printed upon it "For Constitution," or "Against Constitution," and the names of the officers voted for. The commissioners of election will, at any precinct in their share of the county, receive the votes of persons registered in that share. Each voter, in offering his ballot, must exhibit his certificate of registry, across the face of which the clerk of election will write his name in red ink, and the word "voted," with date, thus cancelling the certificate, and indicating that a vote has been cast upon that certificate at this election; at the same time the registrar will check off the voter's name on the precinct book serving as "poll book." The polls will be opened at 8 o'clock a. m., at each precinct, and will be kept continuously open until 7 p. m., at which time the polls will be closed. Before opening the polls the ballot-boxes will be opened, inspected by the commissioners of election, to ascertain that they then contain no ballots, and in this condition will be exposed to the view of the persons who may be in attendance. Then in public they will be closed, locked, and the locks sealed. The ballot-boxes will not be unlocked or opened until the election in the entire county is ended. Each day, at the close of the election, the opening in the boxes through which the ballots are deposited will be closed by a covering of thick paper, securely sealed with wax. This covering will be preserved until voting is resumed. The sealing and opening of the boxes, in the manner directed, will be done in public.

The registrars will begin the election at the most remote precincts, and proceed by the most practicable route, from precinct to precinct, to

the county seat or other place where the revision of the registration may have been held, and upon the arrival thereof of all the commissioners of election they will at once open one poll and hold the election one day for that precinct, at which poll, however, any registered voter of the county who has not previously voted may cast his ballot. The voting at this poll will close the election for the county. Within twenty-four hours after the closing of the election in each county, the ballot-boxes will be opened, the ballots counted, and return of the election made upon the blank forms prescribed and furnished, and delivered to the hands of a registrar to be hereafter designated, who will at once bring them to these headquarters. Before the opening of the ballot-boxes the registrars will invite at least one suitable person of each political party to be in attendance during the counting of the ballots and the making up of the return. Such persons will be afforded a fair opportunity of seeing that no frauds are committed, but in no instance and under no pretence will any return be made by the commissioners of election except in the manner above prescribed.

IV. Judges and clerks of election will be selected by registrars, preferably from among the residents of their respective districts; but if they cannot be obtained therein, competent and qualified under the law, then from among the residents of the county; and if not obtainable in the county, then from the State at large; they are required to take and subscribe to the oath of office prescribed by the act of Congress of July 2, 1862, which oath may be administered by the registrar. The oaths, properly subscribed, will be forwarded immediately for file in the office of the acting assistant adjutant general at these headquarters.

The pay of these officers will be six (\$6) dollars per diem, for each day they are actually employed on their legitimate duties, and their actual expenses of transportation within the county.

V. In accordance with the act of Congress which became a law March 11, 1868, any person duly registered in the State of Mississippi will be permitted to vote in the election precinct where he offers to vote, when he has resided therein 10 days next preceding the election, upon presentation of his certificate of registration, showing that he has not voted at this election, and upon making oath before the commissioners that he has resided in said precinct for the time specified. All ballots received under the provisions of this paragraph will be firmly appended to the oath, and, in this manner joined, transmitted with the returns and other ballots to these headquarters. Blank oaths, for the use of voters under the provisions hereof, will be furnished to the commissioners of election from these headquarters.

VI. The commissioners of election will prepare and forward with the election returns a list of the registered electors in each precinct who have not voted at this election, and a list of all voters under the provisions of the foregoing paragraph who have voted at this election. Such lists will show the name of each person, whether white or colored, the number of his certificate of registration, and the precinct in which he is registered.

VII. None but registered voters will be permitted to challenge the right of others to vote, and no challenge except as to residence and identity will be entertained. While it is the imperative duty of commissioners to do their utmost to insure the purity of the election, care must be taken to prevent the abuse of the right to challenge by evil disposed persons who may desire to impede the election.

VIII. The sheriff of each county is made responsible for the preservation of good order, and the perfect freedom of the ballot at the various

election districts in his county. To this end he will appoint a deputy, who shall be duly qualified under the laws of the State, for each precinct in the county, who will be required to be present at the place of voting during the whole time the election is being held. The said deputies will promptly and fully obey every demand made upon their official services in preserving the peace and good order by the commissioners of election. Sheriffs, in making their appointments, will exercise great care to select men whom they know to be in every way able to serve. Deputies appointed in accordance with the foregoing will be paid \$5 for the day's service on accounts approved by the registrar, out of the reconstruction fund.

IX. As an additional measure for securing the purity of the election each registrar, judge, and clerk is hereby clothed with all the functions of a deputy sheriff or constable, and is empowered to make arrests, and authorized to perform all duties appertaining to such officers under the laws of the State during the days of election.

X. At every precinct on the days of election all public bar-rooms, saloons, or other places at which intoxicating or malt liquor is sold at retail, will be closed. Should any infraction in this respect come to the knowledge of the commissioners of election, or to the deputy sheriff in attendance, they will immediately cause the arrest of the offending party or parties, and the closing of his or their place of business. All parties so arrested will be placed under bonds, of not less than one hundred dollars, (\$100,) to appear for trial when required by proper authority, or, in case of failure to give the required bond, will be held in arrest to await the action of the general commanding.

XI. The carrying of fire-arms, or other deadly weapons, at or in the vicinity of the polls is positively prohibited, under penalty of forfeiture of the weapons, and of being punished as prescribed by the statutes of the State forbidding the exhibition of deadly weapons in a threatening manner. All arms seized under this order will be turned in to the nearest post commander for shipment to the chief ordnance officer of the district.

XII. Should violence or fraud be perpetrated at the election in any precinct, the general commanding will exercise to the fullest extent the powers vested in him for the purpose of allowing to all registered electors an opportunity to vote freely and fearlessly, and any provision in any contract tending to abridge the right to vote is hereby declared utterly null and void.

XIII. No registrar, judge, or clerk will be permitted to become a candidate for any office in this State at this election, nor will they be permitted to exercise the functions of any office or authority connected with the election, other than that received from these headquarters.

XIV. The evident intention of the law under which this election is held being to obtain an expression of the will of the qualified electors, it is ordered that all officers of the army, and agents of the Bureau of Refugees, Freedmen and Abandoned Lands, shall entirely abstain from public speaking, electioneering, or endeavoring to influence voters, but this order is not intended to restrict either class of the above named officials in their duty of instructing freedmen as to their rights as electors.

By command of Brevet Major General Alvan C. Gillem:

JOHN TYLER.

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

Official:

WM. ATWOOD.

*First Lieut. 19th Infantry, A. A. A. G.*

## No. 2.

[General Orders No. 20.]

HEADQUARTERS FOURTH MILITARY DISTRICT,  
(MISSISSIPPI AND ARKANSAS,)

*Vicksburg, Miss., May 20, 1868.*

The following named persons are hereby appointed registrars to constitute the boards of registration for the counties of the State of Mississippi, for the purpose of conducting the ensuing election upon the question of the ratification of the constitution, provided by General Orders No. 19, current series, from these headquarters:

For Adams county—H. L. Sellers, T. P. Sears, James Dickson.

For Amite county—John W. Hartley, E. G. Baker, William H. Yeandley.

For Attala county—J. M. Thompson, O. M. Simpson, C. H. Foster.

For Bolivar county—B. G. Leiper, H. Metcalf, J. R. Webster.

For Calhoun county—E. G. Byers, David Cromline, George E. Haise.

For Carroll county—J. P. Marshall, J. C. Harris, Andrew Hislep.

For Chickasaw county—R. A. Murdock, W. L. Montgomery, W. J. Gillis.

For Choctaw county—First Lieutenant C. H. Noble, 34th U. S. infantry, W. C. Bridges, W. H. Stanley.

For Claiborne county—M. O. Hopkins, D. M. Dick, C. G. Fisher.

For Clarke county—Cornelius S. Jackson, H. C. Huntsman, James Grant.

For Coahoma county—Frank S. Belcher, George Brodie, R. V. Montague.

For Copiah county—J. R. Groome, John Hamilton, H. W. Henne-man.

For Covington county—D. W. McInnis, E. W. Larkin, E. A. Forbes.

For Davis county—F. P. Bishop, Daniel Andrews, T. B. Leas.

For De Soto county—Joseph Rogers, A. F. Cole, William K. White.

For Franklin county—C. N. Waterbury, John P. Claughton, Leroy L. Key.

For Greene county—G. V. Wood, D. W. Rankin, F. O. Ball.

For Hancock county—Levi K. Brown, J. F. H. Claiborne, D. E. Mor-rison.

For Harrison county—Caleb Lindsay, Elias Lopez, W. S. Weeks.

For Hinds county—Joseph McCloy, Edward Pickett, H. T. Fisher.

For Holmes county—C. H. Weston, H. R. Smith, O. S. Lee.

For Issaquena county—A. P. Keesecker, Charles J. Stees, Charles Hamilton.

For Itawamba county—J. V. Thomas, Henry Flood, George H. On-thank.

For Jackson county—G. H. Norton, John H. Lindsey, W. M. Mc-Kenna.

For Jasper county—Francis E. Adams, Elijah Dansby, A. T. Webber.

For Jefferson county—James M. Ellis, W. K. Magee, D. C. Kearns.

For Kemper county—H. A. Hopper, A. Key, W. S. Gambriel.

For Lafayette county—Isaac A. Duncan, J. M. Cook, Alexander Hull.

For Lauderdale county—William Cathey, Alpin Sloan, D. A. Smalley.

For Lawrence county—E. M. Durham, John Gartman, James Swann.

For Leake county—Berthier Warren, Walter C. Brewer, Abel Bilbo.

For Lee county—B. L. Trice, W. L. Barber, George Tankersly.

For Lowndes county—Early Hendricks, Lem. S. Powell, D. L. Wal-lace.

For Madison county—A. Warner, William Breck, Joseph McClellan.  
 For Marion county—W. H. B. Lane, Halsey B. Greene, James W. Moore.

For Marshall county—D. C. Calkins, W. L. Jones, W. D. Williams.  
 For Monroe county—John Walker, John W. Meek, J. H. Mathews.  
 For Neshoba county—Second Lieutenant Alfred B. Bache, 5th United States cavalry, M. J. McDonald, Charles McAnally.

For Newton county—W. M. Kirkpatrick, Carolinus Boyd, H. T. Florey.  
 For Noxubee county—George S. Smith, A. B. Stevens, J. T. Smith.  
 For Oktibbeha county—Frank A. Ware, Charles O. Loomis, M. H. Tuttle.

For Panola county—D. W. Gillett, Thomas E. Clarke, William W. Howe.

For Perry county—E. W. Burgess, John McCallum, Austin Edwards.  
 For Pike county—J. M. H. Martin, Jordan Johnson, L. I. Quinn.  
 For Pontotoc county—L. J. Langston, C. R. Moter, E. T. Hulaniski.  
 For Rankin county—B. D. M. Mason, D. A. Cohen, Samuel J. Proctor.  
 For Scott county—J. Tarbell, John E. Owen, G. W. Corliss.  
 For Simpson county—E. W. Gray, E. G. Peyton, Phillip Hammond.  
 For Smith county—L. L. Valentine, Ransom Thompson, Charles Kette.

For Sunflower county—Charles E. Joubert, S. Schultz, Stuart Glascock.

For Tallahatchie county—Joseph Tinker, M. W. Byers, J. W. Blessing.

For Tippah county—S. B. Palmer, E. F. Jordan, Lewis E. Wills.

For Tishomingo county—William Walker, A. W. Patterson, Joshua Webster.

For Tunica county—Isaac Boutman, Frank A. Owen, Thomas Elison.

For Warren county—E. F. Brown, A. C. Fiske, E. W. Raymond.

For Washington county—Thaddeus Preuss, William Brown, W. H. Bolton.

For Wayne county—A. D. Carlisle, Phillip Taylor, W. L. Jarvis.

For Wilkinson county—James Johnson, A. Leffingwell, A. Parker.

For Winston county—R. P. Barmore, J. M. Dickerson, John W. Young.

For Yalabusha county—Second Lieutenant S. D. Humason, 34th United States infantry, J. H. Boyle, H. A. Cooper.

For Yazoo county—F. E. Franklin, F. P. Hilliard, J. W. Bourne.

Immediately upon the receipt of this order by the registrars herein appointed, they will at once report by letter their acceptance or non-acceptance of the same; and if the appointment is accepted, will take, subscribe and forward, to the acting assistant adjutant general of the district, the prescribed oath of office, which oath may be administered by the retained registrars, or by any civil officer authorized to administer oaths and holding a seal, or by an officer of the army.

No registrar or other officer of the election will be permitted to become a candidate for an office in the State at this election, nor will they be permitted to exercise the functions of an office or authority connected with the same other than that received from these headquarters.

By command of Brevet Major General Alvan C. Gillem.

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

## No. 3.

[Special Orders No. 115.]

HEADQUARTERS FOURTH MILITARY DISTRICT,  
(MISSISSIPPI AND ARKANSAS,) *Vicksburg, Miss., May 28, 1868.*

[Extract.]

I. The following-named officers are hereby detailed as inspectors of election for the counties set opposite their respective names :

Brevet Major General A. V. Kautz, lieutenant colonel 34th infantry.	{ Lowndes, Noxubee, Lauderdale, Oktibbeha, Winston, Neshoba, Kemper.
Brevet Colonel J. E. Tourtelotte, captain 28th United States infantry.	{ Tunica, Sunflower, Yazoo, Coahoma, Bolivar, Washington, Issaquena, Warren.
Brevet Major Thomas H. Norton, captain 24th infantry.	{ Hinds, Madison, Leake, Rankin, Scott, Smith, Newton.
Brevet Major Charles A. Wikoff, captain 24th infantry.	{ Claiborne, Franklin, Adams, Hancock, Jefferson, Wilkinson, Harrison, Jackson.
Brevet Major John Power, captain 34th infantry.	{ Marshall, De Soto, Lafayette, Panola.
Brevet Lieutenant Colonel Loyd Wheaton, captain 34th infantry.	{ Tishomingo, Itawamba, Tippah, Chickasaw, Lee, Pontotoc, Monroe.
First Lieutenant Wm. Atwood, 19th infantry.	{ Davis, Perry, Marion, Covington.
First Lieutenant E. C. Gilbreath, 24th infantry.	{ Copiah, Simpson, Lawrence, Amite, Pike.
First Lieutenant Meritt Barber, 34th infantry.	{ Tallahatchie, Carroll, Choctaw, Yal- labusha, Holmes, Attala, Calhoun.
Captain Jasper Myers, ordnance department United States army,	{ Jasper, Clarke, Greene, Wayne.
* * * * *	* * * * *

By command of Brevet Major General Alvan C. Gillem:

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

Official:

NAT. WOLFE,

*Second Lieut. 34th Infantry, A. A. A. G.*

## No. 4.

[Circular No. 3.]

HEADQUARTERS FOURTH MILITARY DISTRICT,  
(MISSISSIPPI AND ARKANSAS,) *Vicksburg, Mississippi, April 25, 1868.*

The following extracts from the reconstruction acts are published for the information and guidance of boards of registration in Mississippi:

[Act of March 2, 1867.]

\* \* \* \* \*

SEC. 5. *And be it further enacted*, That when the people of any one of said rebel States shall have formed a constitution of government in conformity with the Constitution of the United States in all respects, framed by a convention of delegates elected by the male citizens of said State twenty-one years old and upward, of whatever race, color, or previous condition, who have been resident in said State for one year previous to the day of such election, except such as may be disfranchised for participation in the rebellion, or for felony at common law; and when such constitution shall provide that the elective franchise shall be enjoyed by all such persons as have the qualifications herein stated for electors of delegates; and when such constitution shall be ratified by a majority of the persons voting on the question of ratification who are qualified as electors for delegates; and when such constitution shall have been submitted to Congress for examination and approval, and Congress shall have approved the same; and when said State, by a vote of its legislature elected under said constitution, shall have adopted the amendment to the Constitution of the United States proposed by the thirty-ninth Congress, and known as article fourteen; and when said article shall have become a part of the Constitution of the United States, said State shall be declared entitled to representation in Congress, and senators and representatives shall be admitted therefrom on their taking the oath prescribed by law; and then and thereafter the preceding sections of this act shall be inoperative in said State: *Provided*, That no person excluded from the privilege of holding office by said proposed amendment to the Constitution of the United States shall be eligible to election as a member of the convention to frame a constitution for any of said rebel States, nor shall any such person vote for members of such convention.

\* \* \* \* \*

[Act of March 23, 1867.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That before the first day of September, eighteen hundred and sixty-seven, the commanding general in each district defined by an act entitled "An act to provide for the more efficient government of the rebel States," passed March second, eighteen hundred and sixty-seven, shall cause a registration to be made of the male citizens of the United States, twenty-one years of age and upwards, resident in each county or parish in the State or States included in his district, which registration shall include only those persons who are qualified to vote for delegates by the aforesaid, and who shall have taken and subscribed the following oath or affirmation: "I, ———, do solemnly swear, (or affirm,) in the presence of Almighty God, that I am a citizen of the State of ———; that I have resided in said State for ——— months next preceding this day, and now reside in the county of ———, or the parish of ———, in the State, (as the case may be;) that I am twenty-one years old; that I have not been disfranchised for participation in any rebellion or civil war against the United States; nor for felony committed against the laws of any State or of the United States; that I have never been a member of any State legislature, nor held any executive or judicial office in any State and afterwards engaged in insurrection or rebellion against the United States, or given aid or comfort to the enemies thereof; that I have never taken an oath as a member of Congress of the United States, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, and afterwards engaged in insurrection or rebellion against the United States, or given aid or comfort to the enemies thereof; that I will faithfully support the Constitution and obey the laws of the United States, and will, to the best of my ability, encourage others so to do: so help me God;" which oath or affirmation may be administered by any registering officer.

\* \* \* \* \*

SEC. 4. *And be it further enacted*, That the commanding general of each district shall appoint as many boards of registration as may be necessary, consisting of three loyal officers or persons, to make and complete the registration, superintend the election, and make return to him of the votes, list of voters, and of the persons elected as delegates by a plurality of

the votes cast at said election; and upon receiving said returns he shall open the same, ascertain the persons elected as delegates, according to the returns of the officers who conducted said election, and make proclamation thereof; and if a majority of the votes given on that question shall be for a convention, the commanding general, within sixty days from the date of election, shall notify the delegates to assemble in convention, at a time and place to be mentioned in the notification, and said convention, when organized, shall proceed to frame a constitution and civil government according to the provisions of this act, and the act to which it is supplementary, and when the same shall have been so framed, said constitution shall be submitted by the convention for ratification to the persons registered under the provisions of this act at an election to be conducted by the officers or persons appointed, or to be appointed by the commanding general, as hereinbefore provided, and to be held after the expiration of thirty days from the date of the notice thereof, to be given by said convention; and the returns thereof shall be made to the commanding general of the district.

SEC. 5. *And be it further enacted*, That if, according to said returns, the constitution shall be ratified by a majority of the votes of the registered electors qualified as herein specified, cast at said election, at least one-half of all the registered voters voting upon the question of such ratification, the president of the convention shall transmit a copy of the same, duly certified, to the President of the United States, who shall forthwith transmit the same to Congress if then in session, and if not in session, then immediately upon its next assembling; and if it shall moreover appear to Congress that the election was one at which all the registered and qualified electors in the State had an opportunity to vote freely, and without restraint, fear, or the influence of fraud, and if the Congress shall be satisfied that such constitution meets the approval of a majority of all the qualified electors in the State, and if the said constitution shall be declared by Congress to be in conformity with the provisions of the act to which this is supplementary, and the other provisions of said act shall have been complied with, and the said constitution shall be approved by Congress, the State shall be declared entitled to representation, and senators and representatives shall be admitted therefrom as therein provided.

SEC. 6. *And be it further enacted*, That all elections in the States mentioned in the said "Act to provide for the more efficient government of the rebel States," shall, during the operation of said act, be by ballot; and all officers making the said registration of voters, and conducting said elections, shall, before entering upon the discharge of their duties, take and subscribe the oath prescribed by the act approved July second, eighteen hundred and sixty-two, entitled "An act to prescribe an oath of office:" *Provided*, That if any person shall knowingly and falsely take and subscribe any oath in this act prescribed, such person so offending, and being thereof duly convicted, shall be subject to the pains, penalties, and disabilities which by law are provided for the punishment of the crime of wilful and corrupt perjury.

[Act of July 19, 1867.]

SEC. 6. *And be it further enacted*, That the true intent and meaning of the oath prescribed in said supplementary act is, (among other things,) that no person who has been a member of the legislature of any State, or who has held any executive or judicial office in any State, whether he has taken an oath to support the Constitution of the United States or not, and whether he was holding such office at the commencement of the rebellion, or had held it before, and who has afterwards engaged in insurrection or rebellion against the United States, or given aid or comfort to the enemies thereof, is entitled to be registered or to vote, and the words "executive or judicial office in any State" in said oath mentioned shall be construed to include all civil offices created by law for the administration of any general law of a State or for the administration of justice.

SEC. 7. *And be it further enacted*, That the time for completing the original registration provided for in said act may, in the discretion of the commander of any district, be extended to the first day of October, eighteen hundred and sixty-seven; and the boards of registration shall have power, and it shall be their duty, commencing fourteen days prior to any election under said act, and upon reasonable public notice of the time and place thereof, to revise, for a period of five days, the registration lists, and upon being satisfied that any person not entitled thereto has been registered, to strike the name of such person from the list, and such person shall not be allowed to vote. And such board shall also, during the same period, add to such registry the names of all persons who at that time possess the qualifications required by said act who have not been already registered; and no person shall, at any time, be entitled to be registered or to vote by reason of any executive pardon or amnesty for any act or thing which, without such pardon or amnesty, would disqualify him for registration or voting.

SEC. 8. *And be it further enacted*, That section four of said last-named act shall be construed to authorize the commanding general named therein, whenever he shall deem it needful, to remove any member of a board of registration and to appoint another in his stead, and to fill any vacancy in such board.

SEC. 9. *And be it further enacted*, That all members of said boards of registration and all persons hereafter elected or appointed to office in said military districts, under any so-called



State or municipal authority, or by detail or appointment of the district commanders, shall be required to take and subscribe the oath of office prescribed by law for officers of the United States.

SEC. 10. *And be it further enacted*, That no district commander or member of the board of registration, or any of the officers or appointees acting under them, shall be bound in his action by any opinion of any civil officer of the United States.

[Act which became a law March 11, 1868.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That hereafter any election authorized by the act passed March twenty-three, eighteen hundred and sixty-seven, entitled "An act supplementary to 'An act to provide for the more efficient government of the rebel States,' passed March two, eighteen hundred and sixty-seven, and to facilitate their restoration," shall be decided by a majority of the votes actually cast; and at the election in which the question of the adoption or rejection of any constitution is submitted, any person duly registered in the State may vote in the election district where he offers to vote when he has resided therein for ten days next preceding such election upon presentation of his certificate of registration, his affidavit, or other satisfactory evidence, under such regulations as the district commanders may prescribe.

SEC. 2. *And be it further enacted*, That the constitutional convention of any of the States mentioned in the acts to which this is amendatory may provide that, at the time of voting upon the ratification of the constitution, the registered voters may vote also for members of the House of Representatives of the United States, and for all elective officers provided for by the said constitution; and the same election officers who shall make the return of the votes cast on the ratification or rejection of the constitution shall enumerate and certify the votes cast for members of Congress.

By command of Brevet Major General Alvan C. Gillem:

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

## No. 5.

[Circular No. 4.]

HEADQUARTERS FOURTH MILITARY DISTRICT,  
(MISSISSIPPI AND ARKANSAS.)  
*Vicksburg, Miss., May 22, 1868.*

### INSTRUCTIONS TO REGISTRARS.

I. Upon the receipt and acceptance of their appointments with accompanying orders the registrars heretofore retained, and those specially directed, will proceed immediately to distribute the printed notices of the meeting of the boards of registration for the purpose of revising the registration books. They will decide upon the place of this meeting, which, in accordance with orders, will be at the county seat or at such other place as will be the most accessible to the people of the county. Report by letter of the place determined upon will be promptly rendered. Two copies of the registration and election notices will, when they have been filled up, showing the dates and places of meetings for registration and of holding the election, be forwarded promptly to these headquarters.

II. Where registrars have duties to perform, requiring an office at county seats or other places at which there are court-houses or other suitable public buildings, the sheriff of the county, or other civil officer having charge, is hereby directed to assign a proper room in such building for the use of such registrars as office.

III. The pay of registrars will be the same as formerly, commencing when they actually enter upon their duties—which will be when they meet to revise the registration books, and continuing until the election is closed; excepting the registrars charged with the duty of distributing the notices as prescribed in paragraph I, whose pay will begin five days

sooner, and excepting such cases in which other directions may be given. The pay for the five days' services mentioned will include all allowance to be made for such service, and no couriers, as formerly, will be employed to distribute handbills.

IV. Boards of registration are authorized to employ a clerk for the five days devoted to revising the registration books, at a compensation not to exceed \$3 per diem, provided such employment is actually necessary to a proper discharge of their duties. Such clerks must be competent to do the necessary writing for the boards in a neat and legible manner.

V. During the interval of nine days, occurring between the close of the meetings of the boards for revising the registration books and the commencement of the election, each registrar will proceed throughout the limits of his subdivision or share of the county, and give general and thorough notice of the time at which the election will be held in each precinct by distributing the handbills furnished from these headquarters, and by such other means as may be deemed advisable. Actual expenses for travelling in obedience hereto will be reimbursed. Registrars will communicate to the newspapers of their counties, and to such others as have most general circulation therein, information of the dates and places of holding the election, for publication as a matter of news if desired, but not as an advertisement for which payment will be allowed.

VI. Prior to the close of the election one member of each board of registration will be designated to bring all the registration books, records, and property of the boards, and the election returns of these headquarters. The ballot-boxes will be transferred to the custody of the sheriffs, who will give receipts therefor. The pay of the registrar herein mentioned will continue until his arrival at these headquarters, provided unnecessary delay has not occurred.

VII. Extracts from the reconstruction laws, relating to the duties of registrars, have been published in circular of April 25th, to which the especial attention of the officers conducting this election is directed.

VIII. The most rigid economy consistent with a proper discharge of duty is enjoined, and should accounts be presented which are deemed excessive they will be closely scrutinized and investigated before payment.

By command of Brevet Major General Alvan C. Gillem:

JOHN TYLER,

*First Lieut. 34th Infantry, Brevet Major U. S. A., A. A. A. G.*

Official:

NAT. WOLFE,

*Second Lieut. 34th Infantry, A. A. A. G.*

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No. 6.

[Circular No. 5.]

HEADQUARTERS FOURTH MILITARY DISTRICT,

(MISSISSIPPI AND ARKANSAS.)

*Vicksburg, Miss., May 29, 1868.*

INSTRUCTIONS TO INSPECTORS OF ELECTION.

I. Inspectors of election, detailed in orders from these headquarters, will, upon the assembling of the boards of registration, as prescribed in paragraph II of General Orders No. 19, current series, from these head

quarters, proceed to and visit the boards for the counties assigned to each, ascertain by close inquiry and examination whether the registrars fully understand their duties, and furnish such information and instructions as may be necessary.

It being impracticable for the inspectors to reach all the boards during the five days devoted to revising the lists, they will in advance notify the boards not visited during that time when and where in their respective counties they will meet them.

A detailed report by letter of the inspection in each county will be made to these headquarters direct.

II. Minute inquiry into the nature of the services performed by the registrars will be made, so as to be enabled to form a fair opinion concerning the charges which they may make for the same. Particular attention will be given to cost and means of transportation, and the rental of rooms by the boards as offices. In all cases of doubt as to the correctness of accounts, information from the inspector will be expected as will lead to its just decision.

III. In counties where boards have arranged to hold the election on alternate instead of consecutive days, as prescribed in orders, the necessity of such arrangements will be inquired into and reported upon, with the view, in case there appears no good cause for such arrangements, of disallowing accounts for expense thereby incurred.

IV. When it is found that improper persons have been appointed registrars, the inspector will recommend removal, and nominate their successors by telegraph, giving briefly the basis of recommendation, and forward immediately by mail a full report of the matter.

V. Inspectors will exercise general control of registration and election matters, and are directed to go to such points and at such times as they may deem necessary to a proper conduct of the election, and during the election will visit such points in their respective districts as they may deem their presence most necessary. They are authorized to give orders in the name of the commanding general, and in their capacities as inspectors act under direct orders from these headquarters. Reports, giving post office address when not at their proper station will be made in advance. Inspectors will report to this office the locality of the polls in their district, and the date on which the election was held in each precinct.

By command of Brevet Major General Alvan C. Gillem:

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

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### No. 7.

[Circular No. 6.]

### HEADQUARTERS FOURTH MILITARY DISTRICT.

(MISSISSIPPI AND ARKANSAS.)

*Vicksburg, Miss., May 28, 1868.*

At the ensuing election in the State of Mississippi, directed in General Order No. 19, current series, from these headquarters, the following officers will be voted for:

Governor, lieutenant governor, secretary of state, treasurer, auditor of public accounts, attorney general, superintendent of public instruction.

One member of Congress from each of the following districts :

The first district, composed of the counties of Tishomingo, Tippah, Marshall, De Soto, Tunica, Coahoma, Panola and Lafayette.

The second district, composed of the counties of Pontotoc, Lee, Itawamba, Monroe, Chickasaw, Calhoun, Yallobusha, Tallahatchie, Sunflower and Bolivar.

The third district, composed of the counties of Carroll, Choctaw, Oktibbeha, Lowndes, Noxubee, Winston, Attala, Leake, Neshoba, and Kemper.

The fourth district, composed of the counties of Washington, Holmes, Madison, Yazoo, Issaquena, Warren, Hinds, Rankin, Scott, Newton, Clarke, Jasper, Smith and Lauderdale.

The fifth district, composed of the counties of Simpson, Copiah, Claiborne, Jefferson, Adams, Franklin, Lawrence, Covington, Davis, Wayne, Greene, Perry, Marion, Pike, Amite, Wilkinson, Hancock, Harrison and Jackson.

For the State legislature :

1st. The county of Warren, five representatives.

2d. The counties of Hinds and Lowndes, each four representatives.

3d. The counties of Adams, Carroll, De Soto, Holmes, Madison, Marshall, Monroe, Noxubee, Washington and Yazoo, each three representatives.

4th. The counties of Attala, Chickasaw, Choctaw, Claiborne, Copiah, Jefferson, Lafayette, Lauderdale, Pontotoc, Oktibbeha, Panola, Tippah, Wilkinson, Yallobusha, Tishomingo, and Rankin, each two representatives.

5th. The counties of Amite, Bolivar, Calhoun, Clarke, Franklin, Issaquena, Itawamba, Jasper, Kemper, Lawrence, Leake, Lee, Pike, Sunflower, Scott, Tallahatchie, Winston, Simpson, Coahoma, Tunica, Newton, Neshoba, Covington, Smith, Wayne, Davis, Greene, Jackson, Hancock, Marion, Harrison and Perry, each one representative.

1st. The counties of Hancock, Harrison, Jackson, Marion, Greene and Perry shall form the first district, and elect one senator.

2d. The counties of Wilkinson and Amite the second district, and one senator.

3d. The counties of Pike, Lawrence and Covington the third district, and one senator.

4th. The county of Adams the fourth district, and one senator.

5th. The counties of Franklin and Jefferson the fifth district, and one senator.

6th. The counties of Claiborne and Copiah the sixth district, and one senator.

7th. The counties of Warren and Issaquena the seventh district, and two senators.

8th. The counties of Hinds Rankin and Simpson the eighth district, and two senators.

9th. The counties of Davis, Jasper, Clarke and Wayne the ninth district, and one senator.

10th. The counties of Lauderdale and Kemper the tenth district, and one senator.

11th. The counties of Newton, Smith, and Scott the eleventh district, and one senator.

12th. The county of Madison the twelfth district, and one senator.

13th. The county of Yazoo the thirteenth district, and one senator.

14th. The counties of Washington and Sunflower the fourteenth district, and one senator.

- 15th. The county of Holmes the fifteenth district, and one senator.  
 16th. The counties of Attala, Leake, and Neshoba the sixteenth district, and one senator.  
 17th. The county of Noxubee the seventeenth district, and one senator.  
 18th. The counties of Lowndes and Oktibbeha the eighteenth district, and two senators.  
 19th. The counties of Choctaw and Winston the nineteenth district, and one senator.  
 20th. The county of Carroll the twentieth district, and one senator.  
 21st. The counties of Calhoun and Yallobusha the twenty-first district, and one senator.  
 22d. The counties of Chickasaw and Monroe the twenty-second district, and two senators.  
 23. The counties of Bolivar, Coahoma, and Tunica the twenty-third district, and one senator.  
 24th. The counties of Panola and Tallahatchie the twenty-fourth district, and one senator.  
 25th. The county of De Soto the twenty-fifth district, and one senator.  
 26th. The county of Marshall the twenty-sixth district, and one senator.  
 27th. The counties of Lafayette and Pontotoc the twenty-seventh district, and one senator.  
 28th. The counties of Tishomingo and Itawamba the twenty-eighth district, and one senator.  
 29th. The counties of Tippah and Lee the twenty-ninth district, and one senator.

By command of Brevet Major General Alvan C. Gillem:

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

## No. 8.

[Circular No. 7.]

### HEADQUARTERS FOURTH MILITARY DISTRICT, (MISSISSIPPI AND ARKANSAS,)

*Vicksburg, Miss., May 29, 1868.*

The following modifications of the method of conducting the ensuing election, as promulgated in General Orders No. 19, current series, from these headquarters, are adopted and published to the boards of registrars concerned, for their guidance in the election at the following precincts, to wit: Vicksburg, Warren county; Natchez, Adams county; Columbus, Lowndes county; Jackson, Hinds county; Yazoo City, Yazoo county; Holly Springs, Marshall county; Aberdeen, Monroe county; Canton, Madison county; Hernando, De Soto county; Grenada, Yallobusha county; Brandon, Rankin county; Meridian, Lauderdale county; Port Gibson, Claiborne county, and Lexington, Holmes county. These precincts will be omitted from the count of the whole number of precincts to be divided among the registrars, as prescribed in General Orders No. 19, and each member of the respective boards of registrars from the counties will, with his judge and clerk, open a poll in the precinct during the election, making three polls for the town. The election will continue for two days, and each poll in the precinct named will be

open to receive the ballots on the same days. The time and places of holding such polls in the precinct will be determined by the board when it meets, as directed in paragraph 11 of General Orders No. 19, and will be selected with a view of furnishing the greatest facility to the voters in casting their votes, and there will be three polls established, one for white voters, and two for colored voters. The poll books previously prepared in the precincts above named will be used in this election. In addition to receiving the ballots of voters living in this precinct, the commissioners will receive the ballots offered by voters residing in their share of the county in the manner prescribed in paragraph III of General Orders No. 19.

By command of Brevet Major General Alvan G. Gillem:

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

### No. 9.

[Circular No. 8.]

HEADQUARTERS FOURTH MILITARY DISTRICT,

(MISSISSIPPI AND ARKANSAS,)

*Vicksburg, Miss., May 30, 1868.*

I. For the purpose of more fully explaining the manner of holding the election at the last precinct in the various counties, registrars are informed that upon the assembling of all the commissioners of election and the opening of the polls, as directed in paragraph III of General Orders No. 19, current series, from these headquarters, they will at one place in the locality referred to open their respective ballot-boxes, the voters in each "share" of the county depositing their ballots in the ballot-box pertaining to the commissioners of election for such share.

II. Commissioners of election are informed that their pay will continue for one day after the closing of the election, to cover the time allowed for counting the ballots and making up the returns.

By command of Brevet Major General Alvan G. Gillem:

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

### No. 10.

[Circular No. 9.]

HEADQUARTERS FOURTH MILITARY DISTRICT,

(MISSISSIPPI AND ARKANSAS,)

*Vicksburg, Miss., May 30, 1868.*

I. At the meeting of the boards of registration to revise the lists, directed in paragraph II of General Orders No. 19, current series, from these headquarters, duplicate certificates of registration will be furnished upon application accompanied by satisfactory evidence of identity. The fact that the duplicate certificate has been issued will be noted in ink opposite the elector's name in the precinct book, and the word *duplicate* written across the face of the certificate. The issuance of a duplicate certificate renders the original invalid and the latter will be wholly disregarded.

II. In checking off the voter's name as directed in paragraph III of General Orders No. 19, current series, from these headquarters, such check-marks will be adopted as will clearly distinguish them from those made at the previous election, and notes on the inside covers of the books will be entered explaining the marks used.

By command of Brevet Major General Alvan C. Gillem:

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

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No. 11.

[Circular No. 10.]

HEADQUARTERS FOURTH MILITARY DISTRICT,

(MISSISSIPPI AND ARKANSAS,)

*Vicksburg, Miss., June 1, 1868.*

I. Registrars are instructed that the absence of one, or even two members of the board of registrars, on account of illness, or by reason of resignation or dismissal, or other unavoidable cause, will not be allowed to prevent the remaining members or member from performing the duty of revising the registration lists prescribed in paragraph II of General Orders No. 19.

In all cases of absence of a member, the cause and probable duration thereof will be immediately reported to these headquarters, with recommendation of a suitable person for appointment to fill the vacancy, in case the commanding general should desire to take such action. Similar report will be made to the inspector of elections for the district, provided the registrar can communicate more quickly with that officer.

Neither will the absence of a registrar from the board of commissioners of election prevent the remaining members—the judge and clerk—from holding the election in accordance with the orders and instructions from these headquarters, and their appointments given in accordance therewith.

II. Inspectors of elections are hereby authorized to fill vacancies in the boards of registrars when, by reason of delay in communicating with these headquarters, they may deem the same necessary to a proper conduct of the election.

By command of Brevet Major General Alvan C. Gillem:

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

Official:

NAT. WOLFE,

*Second Lieut. 34th Infantry, A. A. A. General.*

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No. 12.

[Circular No. 11.]

HEADQUARTERS FOURTH MILITARY DISTRICT,

(MISSISSIPPI AND ARKANSAS,)

*Vicksburg, Miss., June 12, 1868.*

The following named registrars are hereby designated to perform the duty of bringing the election returns and records of their respective

boards of registration to these headquarters, as prescribed in paragraph III of General Order No. 19, and paragraph VI of Circular No. 4, current series, from these headquarters.

If from sickness or other good reason any of the following named registrars are unable to comply with the requirements of this order, the board of registrars for the county will designate one of its members to perform the duty herein prescribed.

Adams county, James Dickson.  
Amite county, William H. Yeandley.  
Attala county, C. H. Foster.  
Bolivar county, J. R. Webster.  
Calhoun county, David Cromline.  
Carroll county, J. P. Marshall.  
Chickasaw county, R. A. Murdock.  
Choctaw county, W. H. Stanley.  
Claiborne county, C. G. Fisher.  
Clarke county, C. S. Jackson.  
Coahoma county, R. V. Montague.  
Copolah county, W. H. Hannemann.  
Covington county, James Breen.  
Davis county, T. B. Leas.  
De Soto county, William K. White.  
Franklin county, Leroy L. Key.  
Greene county, G. V. Wood.  
Hancock county, Levi K. Brown.  
Harrison county, Elias Lopez.  
Hinds county, Joseph McCloy.  
Holmes county, O. S. Lee.  
Issaquena county, Charles Hamilton.  
Itawamba county, Henry Flood.  
Jackson county, G. H. Norton.  
Jasper county, Francis E. Adams.  
Jefferson county, James M. Ellis.  
Kemper county, W. S. Gambrel.  
Lafayette county, Isaac A. Duncan.  
Lauderdale county, D. A. Smalley.  
Lawrence county, John Gartman.  
Leake county, Berthier Warren.  
Lee county, George Tankersly.  
Lowndes county, Early Hendricks.  
Madison county, A. Warner.  
Marion county, James W. Moore.  
Marshall county, D. C. Calkins.  
Monroe county, J. H. Mathews.  
Neshoba county, Charles McAnally.  
Newton county, W. Thomas.  
Noxubee county, A. B. Stevens.  
Oktibbeha county, M. H. Tuttle.  
Panola county, W. W. Howe.  
Perry county, Austin Edwards.  
Pike county, L. I. Quinn.  
Pontotoc county, C. R. Moter.  
Rankin county, Samuel J. Proctor.  
Scott county, J. Tarbell.  
Simpson county, E. G. Peyton.  
Smith county, Charles Kette.



Sunflower county, Charles E. Joubert.  
 Tallahatchie county, Albert Formowski.  
 Tippah county Louis E. Wills.  
 Tishomingo county, Joshua Webster.  
 Tunica county, Isaac Boutman.  
 Warren county, E. W. Raymond.  
 Washington county, W. H. Bolton.  
 Wayne county, W. L. Jarvis.  
 Wilkinson county, James Johnson.  
 Winston county, John W. Young.  
 Yallobusha county, 2d Lieut. S. D. Humason, 34th Infantry.  
 Yazoo county, F. P. Illiard.

By command of Brevet Major General McDowell:

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

### No. 13.

[General Orders No. 24.]

HEADQUARTERS FOURTH MILITARY DISTRICT,

DEPARTMENT OF MISSISSIPPI AND ARKANSAS,

*Vicksburg, Mississippi, June 19, 1868.*

I. As it may chance that persons duly registered, as prescribed by law, will not be able to vote under existing orders, because of having lost their certificates of registration, and as these certificates have only been required, under orders from these headquarters, for the greater convenience of conducting the election, the following addition is made to the provisions of District General Orders No. 19, prescribing the manner of holding the coming election in this State.

II. After the voting as provided in general orders above cited has been completed at the "county seat or other place where the revision of the registration may have been held," the polls at that place will be held an additional day, exclusively for the benefit of those who have been registered, but who have lost their certificates of registration; and they will be held by all the registrars, judges and clerks of election of the county then and there assembled. On and during said additional day all those persons in the county whose names may be duly registered as entitled to vote at the election aforesaid, and who may not have voted by reason of having lost their certificates of registration, may, on their affidavit and such other evidence—if any other shall be required—as shall be satisfactory to the board, be allowed to vote, and the ballot-boxes will not be opened and the ballots counted till after the close of this additional day's voting.

III. In determining the question of identity, the board will suffer a person from either party to challenge to the extent heretofore provided for, and no further.

IV. The registrars will as far as possible let the above provisions be known as they hold the election at the several precincts prior to the final poll.

By command of Brevet Major General McDowell:

JOHN TYLER,

*First Lieut. 43d Infantry, Brevet Major U. S. A., A. A. A. G.*

Official:

NAT. WOLFE,

*Second Lieut. 34th Infantry, A. A. A. G.*

## No. 14.

LEESBURG, DAVIS COUNTY, MISSISSIPPI,

June 10, 1868.

SIR: I have the honor to make the following report of my inspection of election matters in this county.

Upon my arrival (yesterday afternoon) I found the board of registration, consisting of Messrs. Bishop, Leas and Hutchinson, engaged in revising the registration.

About twelve names have thus far been added to the lists, none erased. The board had arranged to hold the election on alternate days, owing to the distance in some precincts—twenty miles in some instances; but upon investigating the subject closely I found that it was possible to hold the election on consecutive days by registrars travelling a portion of the distance between precincts after closing the election, and the balance early next morning, and directed that such course be pursued. I found the members of the board well instructed in their duties, and have no doubt they will perform them in a satisfactory manner.

The election will pass off quietly in this county. The people are taking a great interest in the election and a large political meeting will be held in this town on Friday evening next; but the contest does not partake of that bitterness of feeling that exists so largely in other communities.

I will proceed in the morning to Augusta, Perry county.

I am requested by the clerk of the county court to enclose to you the receipt of Mr. Bishop for the precinct books.

I am, sir, very respectfully, your obedient servant,

WM. ATWOOD,

*First Lieut. 19th Infantry, Inspector of Election.*

Brevet Major JOHN TYLER,

*A. A. A. General, Vicksburg, Miss.*

A true copy:

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*

## No. 15.

WILLIAMSBURG, COVINGTON COUNTY,

June 8, 1868.

SIR: I have the honor to report that I arrived at this place last evening. The revision of the registration commenced this morning under the direction of Messrs. Breen and Larkin, Mr. McInnis not having reported. They are good men, thoroughly conversant with their duties. Mr. McInnis came in about 9 o'clock and finally concluded to decline the position. His reason was principally that he had doubts about his ability to take the oath of office, having held an office of small importance under the State of Mississippi during the rebellion; he is also afflicted with a chronic disease which prevents much riding on horseback. I appointed A. B. Booth registrar in place of Mr. McInnis, and hope my action will meet the approbation of the general commanding. He is a man of average ability, and I think will perform the duties satisfactorily. His appointment should be sent to the care of James Breen,

at this place. I enclose his oath of office together with that of Mr. Lar-kin.

There has been an error made in the package of blanks for this county. There were 300 oaths of office and 700 certificates of registration, while there were no depositions of voters under the act of March 11, 1868, and no blank vouchers. Please have a small package of depositions and vouchers sent to Mr. Breen as soon as practicable.

It is not probable there will be any trouble in this county during the election. Party feeling runs high, but I do not think any collision will occur.

I go to Davis county in the morning, thence to Perry county, and thence to Marion county. Should I find election matters in a satisfactory condition in those counties I purpose returning to this place and remaining in this and Davis county during the election. I will be here again about the 17th.

I am, sir, very respectfully, your obedient servant,

WM. ATWOOD,

*First Lieut. 19th Infantry, Inspector of Election.*

Brevet Major JOHN TYLER,

*First Lieut. 19th Infantry, A. A. A. General.*

A true copy :

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*

# No. 16.

LEESBURG, DAVIS COUNTY, MISSISSIPPI,

June 10, 1868.

SIR: At the time of making my report of inspection of Covington county, I was momentarily in expectation of being definitely informed by Mr. D. W. McInnis whether it was his intention to qualify as sheriff, to which office he had been appointed by the commanding general, but he left Williamsburg in the evening without coming to see me again as he promised.

Not a cent of tax has yet been collected in that county, the present acting sheriff, who is the coroner of that county, not being authorized by law as tax collector. Mr. McInnis is an aspirant for the democratic nomination for State senator from the district, and has been appointed delegate to a democratic convention to be held in one of the adjoining counties this week.

If he gets the nomination he will of course reject the appointment; if not, I am of opinion he will accept it. Under the circumstances it was plainly to be seen that he did not wish to give me a decided answer. I did not press him so much as I would otherwise have done from the fact that I had been informed by H. A. McLeod, judge of the probate court, that he was the only man in the county that could take the oath of office and give the requisite bonds, and moreover, every one assured me he was an excellent business man and best qualified of any one in the county for the office. I therefore determined to let the matter stand until my next visit to the county, which will be about the 17th or 18th instant. Should he at any time decline the appointment I will endeavor to find a suitable person to fill the vacancy. Any instructions addressed to me

at Williamsburg, via Brandon, and mailed not later than the 18th, would probably reach me before my departure from Covington county.

I omitted to mention in my report of the 8th instant that there had been a demonstration of the Ku-Klux Klan at Williamsburg on the evening previous to my arrival. They paraded the streets for several hours beating on fences with clubs, &c., but attempted no violence. I intended to be in Williamsburg on the day of the election and expect my presence will restrain them from any interference with the voters.

I am, sir, very respectfully, your obedient servant,

WM. ATWOOD,

*First Lieut. 19th Infantry, Inspector of Election.*

Brevet Major JOHN TYLER,

*A. A. G., Headquarters Fourth Mil. Dis., Vicksburg, Miss.*

A true copy :

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. G.*

### No. 17.

COLUMBIA, MARION COUNTY, MISS., *June 16, 1868.*

SIR: I have respectfully to make the following report of my inspection of election matters in Marion county:

The members of the board of registration, Messrs. Lane, Green and Moore, I found to be familiar with the orders upon the subject of election and good men for their positions. Owing to the distance between the precincts, 20 and 25 miles in all but one instance, and the difficult character of the country, it will be impracticable to hold the election on consecutive days. It will be held at Northern box, Whiddon box, and Dearman box on the 22d, at Ford's mill, Waterhole box, and Barnes's box on the 24th instant, and at Columbia on the 26th instant.

This county is without a sheriff, and it is therefore impossible to have deputy sheriffs appointed as required by General Orders No. 19. For the purpose of preserving order at the polls, and, in fact, performing the duties of deputy sheriffs, I have empowered the president of the board, Mr. Lane, to appoint constables, to be paid at the same rates and in the same manner as deputy sheriffs. I trust my action in this respect will meet with the approval of the commanding general.

I have conversed with some of the leading citizens of the county in regard to the subject of the appointment of a sheriff for the county, and believing it to be the desire of the commanding general that the office should be filled, I have instituted measures to procure the name of some good man to be appointed. Very little of the State, and no portion of the convention, tax has been collected, and, in fact, the interests of the county are suffering for want of the services of an efficient sheriff. Many of the most prominent men earnestly desire the vacancy filled, and are willing to render material aid in the matter.

Mail facilities are so poor in this county that I have found it impracticable to have mail forwarded to me from Brookhaven as I had expected to have done. If orders have been sent me from headquarters they have not, and will not reach me until my return to Brookhaven about the 26th

instant. I go to-morrow back to Williamsburg, Covington county, where I expect to remain until the close of the election.

I am, sir, very respectfully, your obedient servant,

WM. ATWOOD,

*First Lieut. 19th Infantry, Inspector of Election.*

Brevet Major JOHN TYLER,

*A. A. A. G., Headquarters Fourth Mil. Dist., Vicksburg, Miss.*

A true copy:

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*

No. 18.

VICKSBURG, MISS., June 29, 1868.

SIR: I have the honor to report my return to Vicksburg this morning, having completed my duties as inspector of election.

Owing to the fact that the election in the counties composing my district ended simultaneously, and the only means of travel being on horseback, I was able to attend the election only in Covington county, that being the county in which, in my judgment, my presence was most necessary. On the day of the election I visited the most important precincts in the county. The only precinct in which any trouble occurred was Ochaha. I was not present. The election at Mount Carmel, the most important precinct in the county, occurred the same day, and I deemed it necessary for me to be there. However, I investigated the matter thoroughly, examining the registry clerk, deputy sheriff, and citizens who were present. It appears that the registrar, Mr. Booth failed, to have closed a store at which liquor was sold, situated about one-quarter of a mile from the polls. He alleges that he believed he had no control over a store as far removed from the polls. The crowd obtained liquor there and became very disorderly. The deputy sheriff maintained order in the immediate vicinity of the polls, and all concur that no one was prevented from voting. Fourteen colored men, all who were registered in the precinct, except two who had left the county, presented themselves and voted about 11 a. m. As the last one left the poll a white man asked him how he had voted. He intimated that he had voted the radical ticket, whereupon the white man struck him a slight blow with a stick, telling him to go along. The negro started to run and fell at the gate of the yard. Another white man made an attack on him while down, but was so much intoxicated as to be unable to injure him. He arose and run down the road, and while running was struck by still another white man and knocked down. He was then allowed to get away without further maltreatment. I was unable to ascertain who the white men engaged in the affair were, or who the negro was, or where he could be found. The registrar, clerk, or deputy sheriff did not appear to know any of the parties, and the citizens, if they knew, would not tell me. I am led to believe, however, that the white men belong to a gang of ruffians that infest the northeast corner of the county. Having no force at my command I did not attempt their arrest. With this exception the election passed off with commendable quietness.

Means were used to influence the minds of the colored voters that were, to say the least, highly improper. I have been told repeatedly by

negroes that they had been threatened with the vengeance of the Ku-Klux Klan, with being driven away, and with being discharged from employment if they did not vote the democratic ticket. On the other hand I heard of two authenticated instances of negroes having been threatened with being taken to Vicksburg in irons, sent to Cuba and sold into slavery, if they did not vote the radical ticket; the persons (black men) using these threats stating that they had orders from headquarters 4th military district to that effect. I have no doubt the statements made to me could be substantiated by affidavits or other evidence. These influences had their due effect upon the minds of the ignorant and credulous negroes, and deterred many from voting at all. As they expressed it to me, "they were so bothered they did not know what to do." I do not think much over half the negroes registered voted. At the polls no fault could be found; every one could have voted according to his wishes, and no violence would have been offered him. I took pains to inform the negroes of their right to vote as they desired, and assured them no violence would be done them, and of my belief that the threats used amounted to nothing; but still they thought it best not to vote at all.

Scott Gregg, one of the commissioners of election with Mr. Booth, failed to appear after the first day. I was unable to learn the reason of his thus absenting himself. He should be allowed pay only for that day, if it all. The registrar and clerk proceeded with the election at the other precincts.

In this connection I deem it my duty to report, as the result of my observations in the district of which I have had charge, and of conversations with people of all grades of social life, that the principal cause of the almost unanimous opposition of the white people to the constitution submitted to them by the convention, is the great number of their color disqualified from voting, and from holding office, and that their opposition to any constitution containing such provisions will be most strenuous. The laws, civil and military, are not administered with the alacrity and spirit they should be. The civil officers are not sustained in their enforcement by the sentiment of the people. It is but rarely that any attempt is made to arrest murderers, and still more rare are cases of conviction after arrest. Intolerance of opinion exists to a deplorable extent; one cannot safely differ in his political opinions with the great mass of the white people. I am clearly of the opinion that a small force of troops, under a discreet officer, in every county, would have a most beneficial effect in preserving order, until such time as a civil government may be organized, competent to extend its protection to every citizen of the State. While many of the citizens are quietly disposed, there are a few men in every county who seem to control the great mass of the whites, and are constantly fomenting discord. Could such be removed from the State the effect would be most salutary.

I am, sir, very respectfully, your obedient servant,

WM. ATWOOD,

*First Lieut. 19th Infantry, Inspector of Election.*

Brevet Major JOHN TYLER,

*A. A. G., Headquarters Fourth Military District.*

true copy :

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. G.*

No 19. .

DURANT, MISSISSIPPI, *June 10, 1868.*

SIR: I have the honor to inform you that I have this day appointed Mr. Enoch B. Saunders, of Kosciusko, registrar of Attala county, Mississippi, *vice* J. M. Thompson, who declined the appointment.

I considered it very necessary to take this action, in order to fill up the board immediately, its duties being very arduous, and it being impossible for two to make the tour of the county, as required in General Orders No. 19, and the uncertainty of the mails at Kosciusko making communication with the 4th military district headquarters not to be depended upon in time to meet the exigency.

I have the honor to be, sir, very respectfully,

MERRITT BARBER,

*First Lieut. 34th Infantry, Inspector Registration.*

Brevet Major JOHN TYLER,

*A. A. A. General, Fourth Military District.*

A true copy:

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*

No. 20.

GRENADA, MISSISSIPPI, *June 12, 1868.*

SIR: In pursuance of detail as inspector of election, in Special Orders No. 115, and instructions contained in Circular No. 5, current series, from headquarters 4th military district, I have the honor to report that I visited the board of registration for Holmes county, at Lexington, the county seat, on the 9th instant, and found them in session, and actively engaged in revising the registration lists for said county, pursuant to General Orders No. 19, current series.

The members of the board are thoroughly familiar with their duties, Messrs. Smith and Lee, thereof, having acted in the same capacity at the former registration. There appears to be a general disposition on the part of all who have not registered, to do so; still there is considerable opposition on the part of the whites to the negroes leaving their work for that purpose, and in some cases violence has been threatened. I recommended to Captain Clifford, 34th infantry, commanding at Durant, that he arrest one man whom I named to him, and release him again at once on condition of his good behavior. I considered some such action necessary to put a stop to certain violent party measures which are in contemplation. It is anticipated that the ferry from Henry island to Tehula, at which 400 registered persons cross to vote at Tehula precinct, will be prevented from running that day. I recommended Captain Clifford that he station a small squad at Tehula on the 25th, the date of election, sufficient to keep it open and enable those to cross who desired to do so.

Thorough notice of the time and place for meeting for revision of registration at Lexington, the county seat, was given by posters in each precinct, and publication as an article of news in the county papers.

There are eleven voting precincts in the county as follows, with date of election at each:

*Beat No. 1.*—Emory, June 22; Acona, June 23; Tchula, June 25; Lexington, June 26 and 27, as per circular No. 7.

*Beat No. 2.*—West Station, June 22; Durant, June 23; Goodman, June 25; Richland, June 25.

*Beat No. 3.*—Bee Lake, June 22; Eulogy, June 24; Ebenezer, June 25. The commissioners of election are as follows:

*Beat No. 1.*—C. N. Wiston, registrar; J. T. Buck, judge; J. N. Larn, clerk.

*Beat No. 2.*—H. K. Smith, registrar; A. G. Parker, judge; H. C. Fesenden, clerk.

*Beat No. 3.*—O. S. Lee, registrar; N. R. Smith, judge; E. S. Jeffrey, clerk.

The necessity at Tchula, in Beat No. 1, and in Eulogy, in Beat No. 3, on alternate instead of consecutive days, is occasioned by the distance and condition of the roads from their preceding precincts, rendering it utterly impossible to open the polls at these places at the time required. There will be no expense for office rent in the county. The expense of transportation is five dollars per day for each beat at precincts not on the line of railroad. There has been no clerk of revision appointed, and I was advised by the president of the board that it would be unnecessary to appoint one. None of the commissioners of election are candidates for office. I notified the sheriff of the county that in case of riot or disorder he could call upon Captain Clifford, at Durant, for assistance, and it would be furnished him.

Very respectfully, your obedient servant,

MERRITT BARBER,

*First Lieut. 34th Infantry, Inspector of Election.*

Brevet Major JOHN TYLER,

*A. A. A. Gen., Fourth Military District, Vicksburg, Miss.*

A true copy:

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*

## No. 21.

GRENADA, MISSISSIPPI, *June 12, 1868.*

SIR: In pursuance of detail as inspector of election in Special Orders No. 115, and instructions contained in Circular No. 5, current series, from headquarters 4th military district, I have the honor to report that I have this day visited the board of registration for Yallobusha county, Mississippi, in session at Grenada, Mississippi, for the revision of the registration lists of said county, and found them actively engaged in their duty, and thoroughly conversant with their duties under the order relative thereto.

Thorough notice of the time and place of meeting at Grenada for the revision of the registration lists was given by posters in every precinct, and by sending notices properly filled up to all the leading men in each precinct, and by publication as an item of news in the Grenada Sentinel.

There are nine voting precincts in the county, as follows, with date of election at each:

*Beat No. 1.*—Graysport, June 22; Hardy, June 23; Grenada, June 26 and 27, as per circular No. 5.

*Beat No. 2.*—Water Valley, June 22; Bonduant, June 24; Coffeeville, June 25.



*Beat No. 3.*—Buckhill, June 22; Oakland, June 23; Yannersth'n, June 24.

The commissioners of election are as follows:

*Beat No. 1.*—Lieut. D. S. Numason, registrar; D. McKinley, judge; E. T. Bishop, clerk.

*Beat No. 2.*—H. A. Cooper, registrar; F. H. Green, judge; J. M. Brannen, clerk.

*Beat No. 3.*—R. W. Ganse, registrar; N. Cathren, judge; C. Bisbooth, clerk.

The necessity for holding at Bonduant on the 24th, instead of 23d, is occasioned by its distance from Water Valley, (22 miles,) and the condition of the roads, which is such as to render them impassable in the night. This delay occasions delay also in closing the election in Grenada.

There will be no expense for ballot-boxes. The board purchased five dollars' worth of stationery, and I concur in the necessity for the expenditure.

E. T. Bishop was appointed clerk of revision on the 10th instant, and will be entitled to pay for three days. The City Hall was appropriated by the board as an office for revision. The sheriff has appointed a deputy to accompany each registrar, instead of a deputy for each precinct. In this county I think this is advisable, as perfectly reliable men cannot be found in each precinct to accept that appointment. None of the commissioners of election are candidates for office, and I cannot learn positively that any of them are using electioneering measures, although I am investigating a report that one has done so.

Very respectfully, your obedient servant,

MERRITT BARBER,

*First Lieut. 34th Infantry, Inspector of Election.*

Brevet Major JOHN TYLER,

*A. A. A. Gen., Fourth Military District, Vicksburg, Miss.*

A true copy:

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*

No. 22.

GRENADA, MISSISSIPPI, June 12, 1868.

SIR: In pursuance of detail as inspector of election in Special Orders No. 115, and instructions contained in Circular No. 5, from headquarters fourth military district, I have the honor to report that I visited the board of registration for Attala county, Mississippi, at Kosciusko, the county seat, on the 10th instant, and found Messrs. Simpson and Foster, of said board, in session, and actively engaged in revising the registration lists of said county. Mr. J. M. Thompson, being a candidate for office, had resigned, and it being necessary to complete the board as early as possible, I appointed Mr. E. B. Saunders, of Kosciusko, to fill the vacancy, and directed him to immediately enter upon his duties, he having filed the proper oath. All the members of the board are familiar with their duties, and in every way unexceptionable appointments. Although party feeling in the county is excited, no violence or trouble is anticipated. I notified the sheriff that if any force in addition to the precinct deputies were necessary to preserve the peace, to call upon Captain Clifford, 34th infantry, commanding at Durant, and they would be furnished. Thorough

notice of the time and place of meeting for revision of registration at Kosciusko, the county seat, was given by posters in each precinct, and publication as an article of news in the county papers.

There are 12 voting precincts in the county, as follows, with date of election at each:

Date.	Beat No. 1.	Beat No. 2.	Beat No. 3.
June 23...	Bewen's box.....	Mabry's box.....	Matlona Springs box.
June 23...	Crim's box.....	Newport box.....	Buck's box.
June 24...	Centre box.....	Bluff Spring box.....	Rochester box.
June 25...	Wadell's box.....	.....	Rocky Point box.
June 27...	.....	Kosciusko.	

The necessity of holding election on the alternate instead of consecutive days is occasioned by the sparseness of the population and the difficulty of reaching the county seat, and it was considered advisable by the registrars that they should give personal notice at their precincts of the closing of the election at Kosciusko, and give one day to those who did not vote at their proper precincts to come in. I concur with the board in their action upon this matter.

The commissioners of election are as follows:

*Beat No. 1.*—P. M. Simpson, registrar; E. Dickens, judge; J. W. Lewis, clerk.

*Beat No. 2.*—C. H. Foster, registrar; J. T. Williams, judge; Henry Neils, clerk.

*Beat No. 3.*—E. B. Saunders, registrar; T. B. Hugtie, judge; W. E. Thompson, clerk.

None of the commissioners are candidates for office at this election. There will be no expense for office rent in this county. The expense of transportation will be \$4 per day for each commissioner; the roads being such that transportation by horseback is the only practicable method. Mr. J. M. Lewis is appointed clerk of revision. There is but one ballot-box. Two others will be furnished at an expense of \$5 for the two.

Very respectfully, your obedient servant,

MERRITT BARBER,

*First Lieut. 34th Infantry, Inspector of Election.*

Brevet Major JOHN TYLER,

*A. A. A. General, Fourth Military District.*

A true copy:

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*

No. 23.

GRENADA, MISSISSIPPI, *June 14, 1868.*

SIR: In view of the inspection of registration in Carroll county, Mississippi, made by me to-day, I have the honor to recommend that the polls be opened in Carrollton precinct for two days, as is provided in Circular No. 7, for the localities therein mentioned, for the reason that there are 696 registered voters in that precinct, and the closing election for the

county being held there will occasion the attendance of a considerable number of voters from other precincts, which renders another day desirable if it can be consistently granted.

Very respectfully, your obedient servant,

MERRITT BARBER,

*First Lieut. 34th Infantry, Inspector of Election.*

Brevet Major JOHN TYLER,

*A. A. A. General, Fourth Military District.*

A true copy:

WM. ATWOOD,

*First Lieut 19th Infantry, A. A. A. G.*

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No. 24.

GRENADA, MISSISSIPPI, June 14, 1868.

SIR: In pursuance of detail as inspector of election, in Special Orders No. 115 and Circular No. 5, current series, from headquarters fourth military district, I have the honor to report that I visited the board of registrars for Carroll county at Winona on the 13th instant, and report the result of my inspection thereof as follows:

Thorough notice of the session of the board at Carrollton, the county seat, for revision of the registration lists, was given by posters in every precinct, by distribution of notices among all the prominent citizens, and by publication in the papers as items of news.

The board having completed its revision, I inspected all the precinct books, and find that 310 names have been added to the lists, of which 236 are of white and 74 colored voters. Of this number four were erased upon satisfactory evidence by affidavit that they were minors, and improperly registered. There were no erasures from the registration of last fall. There were 28 duplicate registration certificates issued, which were all properly noted on the books.

The number of voting precincts in the county is 12, as follows, with the date of election at each:

Date.	Beat No. 1.	Beat No. 2.	Beat No. 3.
June 22 . . .	Sidon . . . . .	Bright's Corner . . . . .	Vaiden.
June 24 . . .	Black Hook . . . . .	Greenwood . . . . .	Winona.
June 26 . . .	Midway . . . . .	Smith's Mills . . . . .	Duck Hill.
June 27 . . .	Gunntown . . . . .	Jefferson.	
June 29 . . .	. . . . .	Carrollton.	

The necessity of holding the election on alternate instead of consecutive days is occasioned by the swamps between precincts in beats Nos. 1 and 2, rendering long roundabout journeys unavoidable; the unsettled state of the country and the condition of the roads rendering travel by night unadvisable and impracticable. Elections in beat No. 3 might be held on consecutive days, but as the registrars of the other beats could not reach Carrollton before the 29th, the time in this beat was divided.

As the board was unwilling to take the responsibility of assigning the dates of election, I did so as above stated.

The commissioners of election in each precinct are as follows:

*Beat No. 1.*—J. P. Marshall, registrar; John McMurray, judge; W. M. Morris, clerk.

Guntown.

*Beat No. 2.*—J. C. Harris, registrar; R. C. Ansbrough, judge; W. J. Woodell, clerk.

*Beat No. 3.*—A. Hieslief, registrar; C. P. Mivell, judge; A. G. Wells, clerk.

It will be necessary to provide ballot-boxes for all the beats, as those heretofore provided are not large enough.

Deputies have been appointed by the sheriff for each precinct, as prescribed in orders.

No commissioner of election is a candidate for any office, nor has practiced any electioneering measures.

An office was assigned to the board by the sheriff in the court-house for the revision of the lists.

Mr. W. J. Woodell was appointed clerk of the board during the revision. All the appointees of the board have been duly qualified, and their oaths and all the reports required in orders forwarded to headquarters, except copies of election notices and report of changes, which will be sent to-day.

I respectfully call your attention to my special report of yesterday, recommending that the polls be opened in Carrollton precinct for two days instead of one, as is provided in Circular No. 7 for the localities therein named, on account of the large number of voters in the precinct, (696,) and the probability of many coming in from other precincts. This board exhibited the most complete set of books, and showed an appreciation and understanding of their duties and a better knowledge of their orders than any other board which I have inspected; and I am satisfied that they will do all in their power to conduct this election in such a manner as will secure a full expression of the ballot, and meet the expectation of the brevet major general commanding.

I am, sir, very respectfully, your obedient servant,

MERRITT BARBER,

*First Lieut. 34th Infantry, Inspector of Election.*

Brevet Major JOHN TYLER,

*A. A. A. General, Fourth Military District.*

A true copy:

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*

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No. 25.

GREXADA, MISSISSIPPI, *June 21, 1868.*

SIR: In performance of my duties as inspector of election, I made an inspection for the county of Choctaw, at Greensboro, on the 20th instant, and have the honor to report as follows:

As full notice of the meeting of the board for revision was given as practicable, the blanks from headquarters not having been received by the board until the Thursday previous. During the revision one erasure was made of those who registered during the revision by reason of satisfactory evidence that the party was not of age. One hundred and nine names were added to the lists, 102 white and 7 colored. Fifteen duplicates were issued, 13 to whites and 2 to colored.

There are 17 voting precincts in this county, as follows, with date of election at each:

Date.	Beat No. 1.	Beat No. 2.	Beat No. 3.
June 22 ....	Kilnirchael.....	Spring Valley .....	French Camp.
June 23 ....	.....	Hearns.	
June 24 ....	Furgeson's .....	Bellefontaine .....	Springfield.
June 25 ....	Simpson's shop .....	.....	Pensacola.
June 26 ....	Huntsville .....	Cadoretter .....	Dido.
June 27 ....	Bankston .....	Sateland.	
June 29 ....	.....	Lodi.....	Pigeon Roost.

Greensboro, for the county, July 1.

The necessity of holding on some of the precincts on alternate instead of consecutive days, is occasioned by the distance between precincts and the state of the roads.

The commissioners of election for the county are as follows:

*Beat No. 1.*—C. H. Noble, registrar; D. Nolan, judge; E. P. Nolan, clerk.

*Beat No. 2.*—W. C. Bridges, registrar; M. Hutle, judge; H. C. Bridges, clerk.

*Beat No. 3.*—W. H. Hanley, registrar; A. Hutle, judge; G. H. Hal-lard, clerk.

None of the commissioners are candidates for office, or have used any electioneering measures.

I directed the registrars to procure new ballot-boxes, as those on hand are not large enough. A small amount of stationery will be required also. An office for revision was assigned the registrars in the county jail. No clerk of revision was appointed. No expenses were incurred by the commissioners during the nine days preceding the election.

Election notices were distributed by those who come into Greensboro to register. The board reports that the oaths of office and reports required in orders have been forwarded.

Very respectfully, your obedient servant,

MERRITT BARBER,

*First Lieut. 34th Infantry, Inspector of Election.*

Brevet Major JOHN TYLER,

*A. A. A. General, Fourth Military District.*

A true copy:

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*

No. 26.

GRENADA, MISSISSIPPI, June 17, 1868.

SIR: Supplementary to my report of inspection of the boards of registration for the counties of Attala, Holmes and Yallobusha, I have the honor to report that the alterations of the registration lists of those counties by the late revision are as follows:

No erasures made in lists of Attala and Holmes counties. One erasure

made in lists of Yallobusha, explained in my detailed report heretofore  
Names added to the lists:

*Attala county.*—Whites 87; blacks 20; total 107.

*Holmes county.*—Whites 91; blacks 140; total 231.

*Yallobusha county.*—Whites 328; blacks 228; total 556.

I am, major, very respectfully, your obedient servant,

MERRITT BARBER,

*First Lieut. 34th Infantry, Inspector of Election.*

Brevet Major JOHN TYLER,

*A. A. A. General, Fourth Military District.*

A true copy:

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*

### No. 27.

GRENADA, MISSISSIPPI, *June 17, 1868.*

SIR: In pursuance of detail as inspector of elections in Special Orders No. 115, and directions contained in Circular No. 5, current series, from headquarters fourth military district, I have the honor to report that I visited the board of registrars for Tallahatchie county, at Charleston, the county seat, on yesterday, and the result of the inspection is as follows:

Notice of the time of the meeting of the board at Charleston for the revision of the lists was given by posters and by distribution of notices among prominent citizens.

No erasures from the registration of last fall have been made. One hundred and sixty-eight names have been added to the lists, of which 129 are of white and 39 of colored voters. Twenty-eight duplicate certificates have been issued, 16 of whites and 12 of blacks. The whole number registered in the county is 1,677, of which 659 are white, and 1,018 are colored.

There are 11 voting precincts in the county, as follows, with the dates of election at each:

Date.	Beat No. 1.	Beat No. 2.	Beat No. 3.
June 22	Mitchell's Cross Roads ....	Sycamore .....	Renfree's.
June 23	Booth's Store.		
June 24	Harrison's Station .....	Tusahoma. ....	Station Mills.
June 25	Roam's Shop.		
June 26	Charleston .....	Rocky Springs .....	Grapsall.

Charleston for the county, June 29th.

The commissioners of election for each beat are as follows:

*Beat No. 1.*—J. Fisher, registrar; A. W. Halt, judge; J. T. Swaim, clerk.

*Beat No. 2.*—M. W. Byers, registrar; N. Hiffs, judge; P. H. Dubois, clerk.

*Beat No. 3.*—A. Formowski, registrar; M. M. Heron, judge; A. G. Thompson, clerk.

The necessity of holding the elections on alternate instead of consecutive days is occasioned by the great difficulty of transportation. Two-thirds of the county is swampy, and at the present time the water is high, and the only transportation practicable is a combination of riding,

boating and swimming. For the same reason, and because of the scarcity of horses and mules, the cost of transportation is expected to be greater than in other counties of my district.

New ballot-boxes will have to be provided. An office for the revision of the lists was furnished by the sheriff. There was no clerk of revision appointed. The board notified me that they had made requisition on headquarters for necessary stationery, but had received no reply. I directed them in case none was received in time to purchase a small amount of stationery, not to exceed six dollars' worth.

The package containing the registration notices was received so late that it was impossible for Mr. Byers, the retained registrar, to give them distribution through the county, as required in orders, and he designated Mr. Tinker to assist him in that duty, under the impression that General Orders No. 19 gave him authority to do so. It being evident that the duty could not possibly be performed by Mr. Byers alone, and that Mr. Tinker was necessarily employed for five days on that duty, I would recommend that pay for that time be allowed him the same as to Mr. Byers.

Very respectfully, your obedient servant,

MERRITT BARBER,

*First Lieut. 34th Infantry, Inspector of Election.*

Brevet Major JOHN TYLER,

*A. A. A. G., Fourth Military District.*

A true copy:

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*

### No. 28.

GRENADA, MISSISSIPPI, June 21, 1868.

'SIR: In performance of my duties as inspector of election, I made an inspection for Calhoun county, at Pittsboro', on the 18th instant, and have the honor to report as follows:

Due notice of the meeting of the board for the revision of the lists was given by posters in every precinct, and by distribution of the printed notices among the citizens. During the revision one name was erased from the lists, by reason of evidence having been produced that the party held office prior to the rebellion and then engaged therein. One hundred and fifty-two (152) names were added to the lists, of which one hundred and fifty (150) were whites and two (2) colored. Twelve duplicates were issued, eleven (11) to whites and one (1) colored.

In the package of blanks sent to this county no registration certificates were enclosed, and the registrars issued written certificates. There are 12 voting precincts in this county, as follows, with the date of election at each:

Date.	Beat No. 1.	Beat No. 2.	Beat No. 3.
June 22	Slate Springs.....	Sarepta .....	Poplar Springs.
June 23	Bethlehem.....	Banner.....	New Liberty.
June 24	Mount Zion .....	Lamar.....	
June 25	Beneld.....	.....	Big Creek.
June 26	.....	.....	Pine Ridge.

Pittsboro' for the county, June 29.

The board claim that it is impossible for them to get from precinct to precinct on consecutive days, in time to hold in each; but I can see no good reason why the election for the county should not be held at Pittsboro' on the 27th, as it is but 12 miles from Pine Ridge, the last precinct in Beat No. 3, although the roads are very difficult. The commissioners of election for the precincts are as follows:

*Beat No. 1.*—E. G. Byers, registrar; J. Walter, judge; J. B. Christian, clerk.

*Beat No. 2.*—D. Cromlin, registrar; D. Miller, judge; T. D. Vose, clerk.

*Beat No. 3.*—G. C. Bond, registrar; J. Abern, judge; W. L. Hanelston, clerk.

As considerable stationery was required in issuing certificates, I directed them to issue a purchase voucher for what was necessary, not to exceed \$5 worth. I also directed them to procure new ballot boxes as those on hand are not large enough. An office for revision was assigned by the sheriff in the court-house. No clerk of revision was appointed.

None of the commissioners of election are candidates for office, or have used electioneering measures.

The board report that all the reports, oaths of office, &c., required in orders have been forwarded.

I am, very respectfully, your obedient servant.

MERRITT BARBER,

*First Lieut. 34th Infantry, Inspector of Election.*

Brevet Major JOHN TYLER,

*A. A. A. General, Fourth Military District.*

A true copy:

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*

No. 29.

GRENADA, MISSISSIPPI, *June 30, 1868.*

SIR: I have the honor to report that I have received information from the board of registration for the counties of Attala, Holmes, Carroll, Yallobusha, Calhoun and Tallahatchie, since the election was concluded in said counties, and that the election was held at the several precincts in said counties on the dates mentioned in my former reports, and was conducted with perfect good order in every precinct throughout. The county of Choctaw is yet to hear from.

I am, sir, very respectfully, your obedient servant,

MERRITT BARBER,

*First Lieut. 34th Infantry, Inspector of Election.*

Brevet Major JOHN TYLER,

*A. A. A. General, Fourth Military District.*

A true copy:

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*

No. 30.

BROOKHAVEN, MISSISSIPPI, *June 13, 1868.*

MAJOR: I have the honor to report that in compliance with Special Orders No. 115, dated May 28, 1868, and Circular No. 5, dated May 29,



1868, I proceeded to and visited the boards of registration for the counties assigned to me. I visited the registrars of Copiah county, at Hazlehurst, on the 8th day of June; those of Simpson county, at Westville, on the 9th; those of Pike county, at Holmesville, on the 10th; those of Amite county, at Liberty, on the 11th; and those of Lawrence county, at Brookhaven, on the 12th, completing the inspection within the five days appointed for revision of registration books.

#### COPIAH COUNTY.

Board visited at Hazlehurst on the 8th day of June, 1868. I found the board (same as last year) efficient and well instructed as to their duties. There are 17 precincts in Copiah county, and the distance is great between precincts—so great that the election cannot be held continuously in any one of the districts of the county, and the board is compelled to fix upon Wednesday, July 1, as the day for final election in the county, and at Hazlehurst as the place.

The board will be compelled to hire transportation; and as the distance is so great between precincts, I think it necessary to hold the election on alternate days, as arranged. Rooms will be hired at two precincts.

There has been added to the lists of registered voters in Copiah county 393 white persons, and 194 black; total, 587 new names. Total registered voters, 3,650. No names have been erased. Notices of revision of registration books seem to have been well circulated. The board hired one clerk during the revision of registration books. Have no difficulty in obtaining judges and clerks.

#### SIMPSON COUNTY.

Board visited at Westville, June 9. Understand their duties well under orders and circulars published. There are seven precincts in this county, and elections will be continuous, except in one district, where one day will intervene, owing to the great distance to be travelled. Last day's election to be held at Holmesville, Saturday, June 27. A clerk was employed by the board for the five days' revision of books.

#### AMITE COUNTY.

Board visited at Liberty, June 11. Understand duties well. No clerk hired during revision. No rooms required at any precinct during election. Nine precincts in the county. Last day's election to be held in Liberty, June 25.

#### LAWRENCE COUNTY.

Board visited at Brookhaven, June 12. Duties well understood. No clerk employed during revision. Rooms to be rented in two precincts. Eleven precincts in the county. Last election to be held at Brookhaven, Saturday, June 27. Elections cannot be held continuous in any of the districts, owing to the distance to be travelled between precincts. Number of names added to the registry lists: white, 145; colored, 45; total, 190.

I would further state that with regard to transportation, I could not determine the cost exactly; some of the members could hire conveyance very cheaply; others could not; but I do not think the cost will exceed \$8 per day, in any case, for transportation of the three commissioners in each district. Each board was particularly cautioned to make expenses

as light as possible; and that bills for transportation deemed exorbitant would not be allowed. I do not think the election could be held in less time in any one of the five counties inspected by me. Members of boards of registration have been cautioned to complete and forward reports as soon as practicable after closing the polls.

I am, major, very respectfully,

E. C. GILBREATH,

*First Lieut. 24th Infantry, Inspector of Election.*

Brevet Major JOHN TYLER,

*A. A. A. General, Fourth Military District.*

A true copy:

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*

No. 30½.

BROOKHAVEN, MISSISSIPPI, *July 7, 1868.*

MAJOR: I have the honor to report that the election ended in my inspection district on the 2d day of July.

There was no disturbance at any of the polls reported to me. I visited six precincts in person while the election was progressing, and, except at two, no threats or intimidation were used to any to my knowledge; although I am convinced that influences were brought to bear away from the polls to hinder a free expression of opinion; and many complaints are made by persons who have been discharged from employment for voting as they did. I am convinced that the election was no free expression of opinion, and was carried through pressure. Commissioners of election were instructed as to duties in making reports. I have not been informed whether all have completed required reports or not.

It is respectfully recommended that the commissioners for Lawrence county do not draw pay for any time after the 3d of July, except the registrar who carries the returns to headquarters, for the reason that they have taken more time than was necessary for completion of returns.

I am, major, very respectfully, your obedient servant,

E. C. GILBREATH,

*First Lieut. 24th Infantry, Inspector of Election.*

Brevet Major JOHN TYLER,

*A. A. A. General, Fourth Military District.*

A true copy:

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*

No. 31.

ENTERPRISE, CLARK COUNTY, MISS., *June 5, 1868.*

SIR: I have the honor to report that I have this day had an interview with two of the registrars of this county, viz: Mr. C. S. Jackson and Mr. John Gourley. Mr. Huntsman, the other registrar for this county, has not yet reported.

All the blanks for notices and reports required in orders from district headquarters have been received, and the notices of the time and place

of revising the list of voters have been duly distributed. The place selected is Enterprise, for which the following reasons are assigned by the board: It is much the largest town in the county, the registered voters in this precinct numbering 701, while for all the remaining precincts of the county the number is only 1,171; it is the principal business place in the county, and hence convenient for a greater number of the population.

There is only one livery stable in this place. Single saddle horses hire for \$3 per day, and the feed for one is about \$2 in addition. A two-horse team and driver can be obtained for \$7 per day; the feed will be about \$2 per day additional, being thus cheaper as it can be taken along in the wagon.

There are six precincts in this county. Each registrar holds election in two of them. They are divided as follows: Energy and Enterprise form one division, Pierce's Mill and Shubuta another, and De Soto and Quitman a third. In the first two elections cannot be held on consecutive days, but they may easily be holden with an interval of one day between.

Mr. C. S. Jackson, president of the board for this county, understands the orders in relation to registration thoroughly, and is in every way well qualified for the position. Mr. John Gourley has, on the contrary, not the slightest knowledge of his duties or the orders in relation to registration. He had only two of the orders in his possession, but he knew nothing of them. As he resides in this place it would have been easy for him to have obtained all the orders from Mr. Jackson and to have rendered himself familiar with them. In consideration of the above facts, I have respectfully to recommend that he be removed, and Sampson T. Platt, of this place, and formerly a lieutenant in the United States volunteers, and for some time provost marshal of Meridian, may be appointed in his place.

Very respectfully, your obedient servant,

JASPER MYERS,

*Captain U. S. A., Inspector of Election.*

Brevet Major JOHN TYLER,

*A. A. A. General, Fourth Military District.*

A true copy:

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*

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No. 32.

ENTERPRISE, MISSISSIPPI, June 10, 1868.

SIR: I had yesterday an interview with the board of registration for Wayne county, at Waynesboro', the county seat of that county. All the members of the board were present, and about 50 persons had been registered before my arrival. While I was present, which was from morning until about 4 o'clock in the afternoon, six freedmen and four whites registered.

There is no livery stable in Waynesboro'. The only practicable means of visiting the precincts off the railroad is by horseback. The price of a horse per day is between \$3 and \$4; the feed will be about \$1.50 extra per day. There is one day's interval between the time of receiving the votes in Busby's and McCarty's precincts. The distance between the places for receiving the votes in these precincts is about 35 miles. There

is also one day's interval between the time of receiving the votes at Erron precinct and at Winchester—distance about 20 miles. The interval in each case is necessary. Two days are advertised for holding the election in Buckalunna precinct, one at Buckalunna and one at State Line. The two places are about 10 miles apart, and about equally divided between them are the voters. As it would evidently be a great convenience to the voters, and as the election notices were partially filled up, I did not have the arrangement changed, although it is not strictly authorized by the orders.

No expense has heretofore been incurred for office rent at elections in this county, and it is not anticipated that any will be necessary at this election.

Mr. Jarvis and Mr. Carlisle have a tolerably fair knowledge of the orders in regard to registration and of their duties. Mr. Taylor's information was very imperfect. I would not, however, advise his removal, as I think he will endeavor to inform himself without delay.

I would respectfully call your attention to the following point: Where a voter has removed from one county to another, or from one precinct to another, and has lost his certificate of registration, according to present orders he can only receive a duplicate from the precinct where he was registered. If there was an arrangement by which the name of such a person could be removed from the precinct book where he was first registered and placed on that where he resides, I think it would be advantageous.

Very respectfully, your obedient servant,

JASPER MYERS,

*Captain U. S. A., Inspector of Election.*

Brevet Major JOHN TYLER,

*A. A. A. General, Fourth Military District.*

A true copy:

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*

### No. 33.

STATE LINE, MISSISSIPPI, *June 8, 1868.*

SIR: I have the honor to report that I arrived at this place on the morning of the 6th instant. Owing to the fact that notice had been given already throughout the county that the meeting to revise the registration books would be held at this place, I found it unnecessary to proceed to Leakeville, as I had intended and as I notified you in my letter of the 5th instant.

This place is at the extreme northeast corner of the county. The distance to the opposite corner of the county is about 60 miles. Leakeville is near the centre of the county, and would, I think, have been the best place to have revised the lists. The board inform me, however, that no business is done there, and the registration books show that but 19 persons—three of them colored—registered there. In the whole county 90 colored persons registered, and 58 of them registered at this precinct. There are registered in the county 315 votes, 118 of them at this precinct. Nearly all the business of the county is transacted here.

The only kind of transportation which can be procured here is horses for horseback riding, and they will probably cost \$3 50 each per day. The feed will cost about \$1 50 per day each. Two of the board of con-

missioners will require horses for three days, and the other board will require them for six. There is an interval of two days between the election in Salem precinct and Vernal precinct. The distance between the two precincts is only 16 miles. Two days' interval is allowed between the elections in these two places. The country is represented as rough enough; the trip can be made, however, in certainly a day and a half—possibly a day.

At three of the precincts there are public houses in which the election can be held. At the other two no rent has hitherto been paid. It may be necessary to pay rent at this precinct, say from \$1 to \$1 50 per day for two days.

I found on my arrival here D. W. Rankin and J. M. Mackey, two recently appointed registrars for this county. Mr. Wood, who was registrar during the last election, arrived here yesterday. Mr. Rankin was clerk of the board of registration at the last election. He is tolerably well informed with regard to his duties; not, however, so well informed with regard to recent orders as he should be. Mr. Mackey was clerk of election during the last election, and has a tolerably fair knowledge of the orders pertaining to registration and of the duties of his office. Mr. Wood understands his duties very well.

I leave for Waynesboro' at 3 o'clock p. m., and up to the present time, 15 minutes of 3, no applications to register have been made.

Very respectfully, your obedient servant,

JASPER MYERS,

*Captain U. S. A., Inspector of Election.*

Brevet Major JOHN TYLER,

*A. A. A. General, Fourth Military District.*

A true copy:

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*

No. 34.

PAULDING, JASPER COUNTY,

*Mississippi, June 12, 1868.*

SIR: I have the honor to report that I have this day visited and examined the board of registrars for this county, two of whom I had not previously met. Mr. Adams, as I have already informed you, is familiar with his duties. Mr. Damby, though not so conversant with the orders as Mr. Adams, is yet sufficiently familiar with them to conduct the election without difficulty. Mr. McKinnon, who was recently appointed, has only a tolerable knowledge of the orders. I have to request that you will have a full file of them sent to him at this place. There have been added to the lists in this county about 100 white and 28 colored voters.

Very respectfully, your obedient servant,

JASPER MYERS,

*Captain U. S. A., Inspector of Election.*

Brevet Major JOHN TYLER,

*A. A. A. General, Fourth Military District.*

A true copy:

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*

## No. 35.

STATE LINE, MISSISSIPPI, *June 27, 1868.*

SIR: In obedience to Circular No. 5, of May 29, 1868, I have the honor to report that the polls were open at the following localities in Greene county on the date set opposite each respectively: Salem precinct, June 22; Smith's box, June 22; Lakesville, June 22; Vernal, June 25; State Line, June 27.

I am informed that notice has been given at each precinct in the county that persons who have registered and have lost their certificates will be allowed to vote to-day. As the county covers a great deal of territory, and is very sparsely settled, I concluded that it would be best to permit persons desiring to vote, in accordance with the notice already given, to do so. But two such persons have presented themselves during the course of the day. As no considerable circulation could now be given to a notice that the polls would be held open an additional day, and as the persons referred in General Orders No. 24 have had notice and an opportunity to vote, I did not think it necessary to detain the registrar until after Monday next.

Very respectfully, your obedient servant,

JASPER MYERS,

*Captain U. S. A., Inspector of Election.*

Brevet Major JOHN TYLER,

*A. A. A. General, Fourth Military District.*

A true copy:

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*

## No. 36.

JACKSON, MISSISSIPPI, *June 9, 1868.*

MAJOR: In compliance with orders from the headquarters of the district I have entered upon the discharge of the duties of supervisor and inspector of elections, and have this day visited and inspected the board of registration for Hinds county, Mississippi, which assembled in this city yesterday, June 8th, for the purpose of revising the registration lists, as directed in General Orders No. 19, current series, from your headquarters. Two members of this board, namely, Joseph McCloy and H. T. Fisher, were not present at the meeting of the board yesterday, and the remaining member of the board, Mr. Ed. Pickett, was instructed to open the office of the board to the public and proceed with such business as might come before it. This morning Mr. McCloy reported for duty, but Mr. Fisher is still absent, and, owing to certain interruptions to travel on the route, it is extremely doubtful if he will arrive in season to be with the board during any part of the five days' session. This gentleman has received the republican nomination as candidate for election as member of the Mississippi State legislature, and will, if he accepts said nomination, become disqualified to act in the capacity of registrar, in which case telegraphic communication will be held with your headquarters with reference to the immediate appointment of a successor, and the board will therefore be subjected to no interruption or delay on this account.

In the examination of the officers of this board attention was particularly given to the manner in which the proceedings of registration were conducted, and from minute and careful inquiry it is believed that the

various orders and instructions promulgated by the commanding general, as well as the laws of Congress bearing on the subject, are well understood and strictly complied with by the members of the board.

One hundred and fifty qualified electors have already been added to the lists, and numerous duplicate certificates of registration have been issued in the manner prescribed by law. Some apprehension is expressed by the members of this board that, in view of the large vote that will be polled in this precinct on the last day of election, there will be some difficulty experienced in making up the returns of the entire election within the time prescribed by orders. They are of opinion that to undertake to count the ballots and fill up the returns in twenty-four hours after the close of the polls will make it necessary to exercise an undue and dangerous haste which may possibly lead to confusion and commission of errors in the arrangement and computation of the ballots. My own opinion is that, with the clerical aid afforded and with assiduous attention upon the part of the registrars themselves, the time allowed will be amply sufficient to secure a correct performance of the duty. Serious complaint has been made by the officers of this board that they have been greatly retarded and incommoded by the presence in their office during business hours of a political committee of three persons who claimed a right to witness the manner in which the business of the board was transacted, and to interrogate the members as to their knowledge of the official duties imposed upon them by law and orders, and that these persons, by their officious interference, not only rendered themselves disagreeable, but their presence operated as an impediment to the prompt and proper discharge of the business of the board. I immediately informed the registrars that no persons whatever except those appointed by the commanding general for that purpose had a right to inspect their proceedings or demand any information which they possessed in their official capacity; that the presence of persons in the office where the business of registration was progressing would be permitted only by the courtesy of the board; and that the latter plainly had a right to eject any person whose conduct was such as to prevent the peaceful transaction of business.

If any citizens are unlawfully registered, it is provided that on the day of election competent persons will be given the opportunity to challenge their vote, and it is believed to be better for all concerned that committees of either political party should be strictly excluded from the presence of the board of registration.

Somewhat to my surprise I found the board occupying a private office in the city, and as there are several public buildings in Jackson which could have been obtained by them, upon application to the proper authority, I respectfully recommend that if any charges are made for rent of office during the session of the board the same may be disallowed, until satisfactory explanation is given why the public offices were not used, as directed in orders from the commanding general.

To-morrow I proceed to Canton, to inspect the Madison county board, and from that point I shall communicate my future address.

I have the honor to be, very respectfully, your obedient servant,

THOMAS H. NORTON.

*Capt. 24th Inf., Brevet Major U. S. A., Inspector of Election.*

Brevet Major JOHN TYLER,

*A. A. A. General, Fourth Military District.*

A true copy :

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*

## No. 37.

CANTON, MISSISSIPPI,  
*Friday, June 11, 1868.*

MAJOR: The board of registration for Madison county opened for the revision of the lists on the 8th instant, and it has been a matter of considerable surprise that so large a number of persons have presented themselves to be registered.

Three hundred and sixty persons (whites and blacks) have already been found qualified, and it is believed that before the closing of the books at least 500 names will have been added thereto. A large proportion, say 20 per cent., of these persons have become of age since the registration of last year, and the remainder is made up of those who, from choice or other reasons, failed to be registered at that time. The evident desire of all legal voters to secure their certificates of registration may be taken as an indication of the intense interest in the approaching election everywhere manifested by all classes of citizens, and in the prevailing excitement it has been urged upon registrars to exercise the utmost caution to prevent persons who are disqualified under the law from registering and voting.

I have instructed the registrars that whenever an applicant for registration was presented, whose personal appearance plainly indicated that he had not attained his majority, or whenever any applicant whose appearance would naturally and reasonably excite suspicion of his disqualification on this ground, that such person would be rejected unless he could bring parties to testify to the correctness of his statement, or produce other satisfactory evidence of his eligibility. This board has completed the subdivision of the county, and elections will be held simultaneously on the 22d, 23d, 24th, and 25th of June, successively, and there being in one of the subdivisions a fifth precinct, election can be held there on Friday, June 26. According to this arrangement, which, under the circumstances, is the best that can be done, no election can be held at Canton, the county seat, until Monday and Tuesday, June 29 and 30, and returns of the entire county furnished to headquarters on the 1st of July, proximo.

Transportation will consist almost exclusively of private conveyances, and during the election an expenditure of at least \$5 per diem to each register with his judge and clerk will be necessary and unavoidable. I am informed that the president of the Madison county board, Colonel A. Warner, will receive and accept the nomination as a candidate of the Mississippi State senate, and he has been instructed, in this event, to notify the inspector, who will recommend a suitable person to assume the duties of registrar in his stead. In order to reach as many different boards as possible during the five days devoted to the revision of the books, I shall visit and inspect only those that are on the line of railroad, and will afterwards penetrate to the interior counties. To-morrow, the 12th instant, I depart for Forrest station, Mississippi, the place of assembly on that day for Scott county board of registration.

Very respectfully, your obedient servant,

THOMAS H. NORTON,

*Captain 24th Inf., Brevet Maj. U. S. A., Inspector of Election.*

Brevet Major JOHN TYLER,

*A. A. A. General, Fourth Military District.*

A true copy:

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*



## No. 38.

FORREST, MISSISSIPPI,  
*Saturday, June 13, 1868.*

MAJOR: Agreeably to the announcement made in my report from Canton, I proceeded to this county, and have devoted portions of yesterday and to-day to an inspection of the board of registration.

I found all the members present and assembled in the office of the bureau agent at this place.

The following comprises all the work accomplished by this board since commencing its labor on the 8th instant, viz: number of names added to registry: whites, 61; blacks, 17; total, 87. Number of duplicate certificates issued, 25; number of erasures made on account of disqualification discovered, since convening the board, six.

Elections will be held on the dates and at the localities below mentioned:

*District No. 1.*—At Johnson's, Monday, 22d, I. Tarbell; at Burns', Tuesday, 23d, W. McClellan; at Hillsboro', Wednesday, 24th, C. G. Gibner, committee.

*District No. 2.*—At Damascus, Monday, 22d, I. Gowen; at Lake, Wednesday, 24th, U. G. Gilmore; at Shennan Hill, Thursday, 25th, I. T. Ritchie, committee.

*District No. 3.*—At Morton's, Monday, 22d, G. W. Corliss; at Pulaski, Tuesday, 23d, Henry Evans; at Homewood, Wednesday, 24th, Joseph Morton, committee.

*United district.*—At Forrest, Saturday, June 27, 1868.

In district No. 2 it is impossible to hold election at Damascus and Lake on consecutive days; the distance between these points being 25 miles, cannot be accomplished between sunset of the 22d and sunrise of the 23d. The only means of transportation in this county consists of private conveyances, which will necessitate during the progress of election an expenditure of \$5 or \$6 per diem for each registrar with his commissioners. The members of this board appear to fully comprehend the details of the duties assigned to them. One of the registrars, Mr. J. Gowen, is a most remarkable man. He is totally blind, and yet is perhaps the best informed and most useful member of the board. He is acquainted with two-thirds of all the registered voters in the county; can recognize them by their voice or footstep, and can repeat many of the essential laws relative to reconstruction *verbatim et literatim*. The eyes of this old man were inhumanly put out by political enemies during the war as a punishment for his steadfast loyalty to the United States, and there seems to be a kind of poetic justice in making him a judge of their qualifications now to exercise political rights under the government they attempted to destroy.

The laws of the State of Mississippi prohibit any person from securing the vote of any elector, or influencing to vote or to refuse to vote for any candidate by means of threats of violence, or threats of discontinuing or withdrawing custom, trade or employment, &c.; and it is declared that such offence shall be made punishable by fine and imprisonment, or both. Yet there is not a political meeting held in which the newly enfranchised freedmen are not solemnly warned and threatened that if they do not vote down the proposed State constitution they will be deprived of employment, and that southern whites will see their lands confiscated rather than permit these freedmen, who oppose them politically, to earn their livelihood by their cultivation. In consequence of this system of intimid-

dation I am fully persuaded that hundreds and perhaps thousands of legal voters in this State will be prevented from approaching the polls to give free expression to their political preferences.

Again, the laws of the United States prohibit any civil or military officer of any of the State governments now under process of reconstruction, from using their official influence in any manner to hinder, delay, prevent or obstruct the due and proper administration of the acts of Congress relating to reconstruction, or any of the acts supplementary thereto, and a specific punishment is prescribed for infraction of this law. (See section 4, act approved March 23, 1867.) Now, it is respectfully submitted, and can be abundantly substantiated, that the official influence of nearly all the civil officers of the State of Mississippi has been and is now constantly exercised to hinder and prevent the reconstruction of the State.

In violation of the true intent and meaning of the law above recited to, the governor is now actively engaged in canvassing in opposition to reconstruction, when, in view of the extraordinary excitement now pervading the entire community, every obligation of official decorum, and every consideration of public safety would seem to demand that in the legitimate discharge of his functions as chief executive officer of the State he should be at his post, and using every means at his command to enforce the laws and aiding the military commander in the maintenance of public order, and in preserving the peace and dignity of the commonwealth.

These things appear to be evils which may bear bitter fruit, and I have felt it my duty to simply declare their existence and urge the importance of their speedy repression.

I have the honor to be, sir, very respectfully, your obedient servant,  
THOMAS H. NORTON,

*Captain 24th Inf., Bvt. Maj. U. S. A., Inspector of Election.*

Brevet Major JOHN TYLER,

*A. A. A. General, Fourth Military District.*

A true copy:

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*

No. 39.

HOLLY SPRINGS, MARSHALL COUNTY, MISSISSIPPI,

*June 9, 1868.*

MAJOR: I have the honor to report that I have this day visited the board of registration for this county, and on close inquiry and examination find said board fully qualified for the duties assigned them. The cost of transportation at this point is as follows: Saddle horse per day \$3, horse and buggy per day \$6, spring-wagon and two horses per day \$7 50.

I am of opinion that it will not be necessary for the commissioners of election to rent offices in most of the precincts in this county.

Report of the number of persons, white and colored, added to the registration lists during revision, will be forwarded as soon as received.

I am, major, very respectfully, your obedient servant,

JOHN POWER,

*Captain 34th Inf., Bvt. Maj. U. S. A., Inspector of Election.*

Brevet Major JOHN TYLER,

*A. A. A. General, Fourth Military District.*

A true copy:

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*

## No. 40.

HERNANDO, DE SOTO COUNTY, MISSISSIPPI,  
June 10, 1868.

MAJOR: I have the honor to report that I have this day visited the board of registration for this county, and find, upon close inquiry and examination, that all the members of the board fully understand their duties as registrars at all or most of the precincts. The board are of the opinion that it will not be necessary to rent offices for election purposes. The rate of hire for a saddle horse at this point is four dollars to four dollars and a half per day. This board have not employed a clerk. I have inquired into the necessity of holding the election at some of the precincts on alternate instead of consecutive days, and find that it is necessary from the distance and bad condition of the roads.

I would most respectfully recommend that an officer, or reliable non-commissioned officer, with about 10 or 12 men, be sent to this point for and during election, to assist the sheriff and civil officers to preserve the peace. The political excitement at this point is very great.

I am, major, very respectfully, your obedient servant,

JOHN POWER,

*Captain 34th Inf., Bt. Maj. U. S. A., Inspector of Election.*

Brevet Major JOHN TYLER,

*A. A. A. General, Fourth Military District.*

A true copy:

WM. ATWOOD;

*First Lieut. 19th Infantry, A. A. A. G.*

## No. 41.

PANOLA, PANOLA COUNTY, MISSISSIPPI,  
June 11, 1868.

MAJOR: I have the honor to report that I have this day visited the board of registration for this county, and, on examination, find the board entirely conversant with their duties as registrars. The rate of hire for a saddle horse is \$4 per day; a spring wagon with two horses cannot be got for less than \$9 per day. I am of opinion that it will not be necessary for the board to rent offices for election purposes in this county. This board have employed a clerk for and during the revision of the lists.

I am, major, very respectfully, your obedient servant.

JOHN POWER,

*Captain 34th Inf., Bt. Maj. U. S. A., Inspector of Election.*

Brevet Major JOHN TYLER,

*A. A. A. General, Fourth Military District.*

A true copy:

WM. ATWOOD.

*First Lieut. 19th Infantry, A. A. A. G.*

No. 42.

COLUMBUS, MISSISSIPPI, June 9, 1868.

MAJOR: I have the honor to report that the board of registrars for Lowndes county was visited by me this day. The business before them seemed to be carried on correctly. The different members were questioned regarding the orders, &c., published from headquarters, and they were found to be well posted in their duties.

The judges and clerks have been selected and the oaths will be forwarded at once. The county has been divided into precincts as directed, and the necessary arrangements are being made for their conveyance from point to point. The sheriff is also selecting his deputies.

The applicants for registration have been numerous and from various causes, many having lost their former certificates. The president, Mr. E. Hendricks, has been directed to so arrange the precincts as to cause as little delay as possible; most of the polls can be reached on consecutive days. I have directed him also to make arrangements so as to have the necessary transportation furnished at as low a figure as possible.

I leave in the morning for Starkville, from thence to Louisville, and so on. Any communications for me will reach me the soonest by being sent to this point.

I am, sir, very respectfully, your obedient servant,

SAMUEL S. SUMNER,

*Captain 5th Cavalry, Brevet Major U. S. A.*

Brevet Major JOHN TYLER,

*A. A. A. General, Fourth Military District.*

A true copy:

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*

No. 43.

STARKVILLE, MISSISSIPPI,

June 10, 1868.

MAJOR: I have the honor to report that the board of registration for Oktibbeha county has been inspected by me this day. The revision of the books is being carried on as directed in orders.

I have questioned the members of the board on their various duties, and find them thoroughly posted. The judges and clerks have been selected, but their absence from this immediate vicinity has prevented the oaths being forwarded; they will be sent as soon as possible. The county has been divided into precincts and parcelled out as required. The voting in this county will be carried on throughout on consecutive days. There have been no offices rented in this county; so there will be no charges on that account. There is a great deal of interest manifested in the coming election in this county, and in fact in all the counties I have yet visited.

Very respectfully, your obedient servant,

SAMUEL S. SUMNER,

*Captain 5th Cavalry, Brevet Major U. S. A.*

Brevet Major JOHN TYLER,

*A. A. A. General, Fourth Military District.*

A true copy:

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*

No. 44.

MACON, MISSISSIPPI,  
June 11, 1868.

MAJOR: I have the honor to report that I have visited the board of registration for Noxubee county at this place. The board have been questioned regarding their various duties, and have as a general thing proved well posted. I have instructed them regarding the points in which they were in doubt. The judges and clerks have been selected and the necessary oaths will be forwarded without delay. The county has been divided as directed and the voting will be on consecutive days. The charges for conveyances in this county will be more than in some others. I find it difficult myself to hire anything at a reasonable rate. The board have been instructed, however, to make the expenses as light as possible. There will be no charges for rent of rooms in this county. The sheriff has made the necessary appointments of deputies. There is considerable excitement in the country regarding the coming election, and the registration is very general.

Very respectfully, your obedient servant,

SAMUEL S. SUMNER,  
*Captain 5th Cavalry, Brevet Major U. S. A.*Brevet Major JOHN TYLER,  
*A. A. A. General, Fourth Military District.*

A true copy:

WM. ATWOOD,  
*First Lieut. 19th Infantry, A. A. A. G.*

No. 45.

LOUISVILLE, MISSISSIPPI,  
June 30, 1868.

MAJOR: I have the honor to report that the board of registration for Winston county has been inspected by me at this place to-day. The registration has been carried on as directed in orders, and the board seem to be well informed regarding their duties. The judges and clerks have been selected, and the oaths will be forwarded without delay. The county has been divided as directed and the notices of election are being filled up. The voting in this county will be on consecutive days. I believe it to be the intention of the commissioners to proceed through their several districts on horseback. There will be no charges necessary for rooms or officers. The sheriff has made the appointment of deputies as directed. I was informed before coming here that party feeling was very high, and that there was likely to be trouble during the election. I have seen nothing myself to justify such an opinion, though my opportunities for judging are rather limited. The board are divided in their opinion on the subject. Dr. Young, who has the most troublesome district, does not feel at all uneasy on the subject. I will leave here this afternoon for Macon, and from there shall return by morning train to

Columbus. On Monday next I intend visiting Kemper and Neshoba counties, the remaining two in my district.

Very respectfully, your obedient servant,

SAML. S. SUMNER,

*Captain 5th Cavalry, Brevet Major U. S. A.*

Brevet Major JOHN TYLER,

*A. A. A. G., Fourth Military District.*

A true copy:

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*

No. 46.

DE KALB, KEMPER COUNTY, MISSISSIPPI,

*June 15, 1868.*

MAJOR: I have the honor to report that I have this day visited and inspected the board of registration for Kemper county at this place. The members of the board were well informed regarding their duties. By inquiry I learned that registration had been conducted in accordance with orders. The judges and clerks had been selected. There was some delay about sending in the oaths that were directed to have been forwarded without delay. The sheriff had made the necessary appointments of deputies. The voting in this county will be on consecutive days. There will be no charges for rent of offices or election rooms. The board had made no definite arrangements regarding their conveyances, though I believe they intend hiring a wagon, if so, the probable expense will be about \$10 per day. I instructed them to be particular regarding their expenses, and to bring them down as far as possible conformable with the duties required. I leave this place immediately for Philadelphia, Neshoba county.

Very respectfully, your obedient servant,

S. S. SUMNER,

*Captain 5th Cavalry, Brevet Major U. S. A.*

Brevet Major JOHN TYLER,

*A. A. A. G., Fourth Military District.*

A true copy:

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*

No. 47.

PHILADELPHIA, NESHOPA COUNTY, MISSISSIPPI,

*June 15, 1868.*

MAJOR: I have the honor to report that I have this day inspected the board of registration for Neshoba county at this place.

The registration had been conducted as provided in orders, and on my arrival the board was engaged making the necessary returns of persons registered. I examined the board relative to their duties and found them well informed. The judges and clerks have been selected. The voting in this county will be on consecutive days. There will be no charges necessary for rent of offices, &c. Lieutenant Bache informs me

that they will probably travel through the several precincts on horseback. Lieutenant Bache intends using the cavalry at his command to prevent disturbances, which I think advisable, as the deputies could do very little in such a community. I have the honor to state that this is the last of the seven counties under my supervision; Lauderdale, Lowndes, Oktibbehe, Noxubee, and Winston, were visited last week, and the remaining two, Kemper and Neshoba, to-day. No report has been forwarded from each point immediately after the inspection. In several of the counties they seem to think the presence of troops necessary. I saw no disposition on the part of any one during my travels to create trouble; but they may have been on their guard during my presence. I think a detachment sent to Noxubee county, at Macon, on the day of election, may be advisable. It could be detached from Meridian or Columbus. This is one of the largest precincts, and as considerable interest is taken in the election throughout the county, a disturbance might spring up at Macon, if not prevented by soldiers. Oktibbeha county could be supplied from Columbus if necessary. I do not deem it advisable to send small detachments out under sergeants and corporals unless for a specified purpose. My observation has been that both non-commissioned officers and privates become demoralized by flattering attentions shown them, and are a detriment rather than an assistance to the object in view. I should like to know whether or not to call on the several post commanders in my district for troops, if I find their presence necessary during the election. I shall make Columbus my headquarters during the election. Please direct any communication for me after the 20th to that point; prior to the 20th they will reach me soonest by being sent to Jackson.

Very respectfully, your obedient servant,

SAMUEL S. SUMNER,

*Captain 5th Cavalry, Brevet Major U. S. A.*

Brevet Major JOHN TYLER,

*A. A. A. General, Fourth Military District.*

A true copy:

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*

No. 48.

VICKSBURG, MISSISSIPPI, June 3, 1868.

MAJOR: In obedience to circular Order No. 5, dated headquarters 4th military district, Vicksburg, Mississippi, May 29, 1868, I have the honor to report that my address will be Austin, Tunica county, June 8; Frair's Point, Coahoma county, June 9; Bolivar Court House, Bolivar county, June 11; Greenville, Washington county, June 12; Vicksburg, Mississippi, June 14; Yazoo City, Yazoo county, June 18.

I have the honor to state further that I have met at this place the board of registrars for Warren county and Isaquena county, and have satisfied myself that they are properly instructed in their duties as such registrars.

I cannot now state the times and places of holding the election in the

precincts of any of the counties, as they have not yet been fixed by the several boards.

I have the honor to be, major, very respectfully, your obedient servant,

J. E. TOURTELOTTE,

*Captain 28th Inf., Bvt. Col. U. S. A., Inspector of Election.*

Brevet Major JOHN TYLER,

*A. A. A. General, Fourth Military District.*

A true copy:

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*

### No. 49.

VICKSBURG, MISSISSIPPI, June 13, 1868.

MAJOR: I have the honor to make the following report:

On Saturday, June 6th, I visited the members of the board of registrars for Tunica county, at Austin, the county seat. All of the members of said board were at that place. Mr. Boatman, one of said registrars, received his order of appointment on the 6th instant, and also the necessary blanks for registration and election. The other registrars had not received orders of appointment. Such orders I furnished said registrars from my private package. Up to said date no notice had been given in Tunica county of the revision of registration. On the 6th instant, however, notices were sent to the different parts of the county by private conveyance, and the registrars acquainted throughout the county assured me that sufficient notice would be given to enable all parties desiring to be present before the five days of revision of the books of registration.

On Monday, the 8th instant, I visited the board of Coahoma county. Two of the members were present. Mr. Montague, the absent one, as I afterwards learned, arrived next day.

On Thursday, the 9th instant, I visited the board of Bolivar county. Only one member, Mr. Metcalf, was present. Mr. Webster has tendered his resignation, which is herewith transmitted. Presuming that Mr. Webster's resignation would be accepted, I appointed Mr. J. E. Edmonds a registrar to fill his place. Mr. Edmonds was an officer in the United States army, and is, I believe, an intelligent and respectable man. I respectfully request that my action herein be approved and that order of appointment be forwarded to Mr. J. E. Edmonds, directed to Beulah, Bolivar county.

On Thursday, June 11th, I visited the board of registration for Washington county. Two members were present. Mr. R. Lewis, the absent member, lives in the eastern part of said county, and I can, at the present time, only communicate with the other registrars at the county seat, by way of Vicksburg. Washington county is so divided into election precincts that Mr. Lewis can hold election in the four precincts, on or near the Yazoo river, and then going to Greenville, the county seat, so as to hold the election at that place at the same time with the other registrars, on the 1st day of July next. If for any reason Mr. Lewis cannot reach Greenville, so as to hold the election at that place on the first proximo, the other registrars are instructed to hold election on that day as if Mr. Lewis were present, and to count the votes when Mr. Lewis does



arrive with the box containing the votes of his share of the county. If the above stated arrangement for holding election in Washington county be approved, I respectfully request that some person be sent from these headquarters to Mr. Lewis, with full package of orders, and the necessary blanks for holding elections, the precinct books for his precinct, and also a letter of instructions from the inspector of election for that county. Unless some person be sent with the above papers and books, Mr. Lewis will not receive them in time to give notice of election in his share of the county.

The registrars whom I have met as above stated appear to be intelligent men, who understand and appreciate the orders issued in matters of registration and election. Much delay has been caused by high water throughout the county, and the irregularity of the mails. The high water will also prevent the holding of elections on consecutive days in several places.

The following dates and places of holding the election have been furnished me by several registrars:

#### TUNICA COUNTY.

Commerce precinct, June 22; Trotter's precinct, June 24. Election held by H. A. Owens.

Hudson's precinct, June 22; Jane's precinct, June 24. Election held by John McCann.

Burlison's precinct, June 22; High's precinct, June 24. Election held by J. Boatman.

Austin precinct, (county seat,) June 26, by all the registrars.

#### COAHOMA COUNTY.

Robson's Landing, June 22, by George Brodie.

Sherfordsville, June 22, by F. S. Belcher.

Swan Lake, June 22; Moon Lake, June 24, by R. V. Montague.

Friar's Point, (county seat,) June 24, by all the registrars.

#### ISSAQUENA COUNTY.

Dumbarton, June 22; Tallula, June 23, by A. P. Keesecker.

Rolling Fork, June 22, by Charles Hamilton.

Schola, June 22, by C. J. Shees.

Skipwith, (place of revising registration,) June 25, by all the registrars.

#### WARREN COUNTY.

Milldale, June 22; Oak Ridge, June 23, by E. F. Brown.

Meredith, June 22; Bovina, June 24, by E. W. Raymond.

Davis's Bend, June 22; Red Bower, June 24, by A. C. Fisk.

Vicksburg, (county seat,) June 25 and 26, by all registrars.

#### WASHINGTON COUNTY.

Willis's, June 22; Thomas's, June 24; Taylor's, June 25; School-house, June 26; Mound, June 27, by S. Prews.

Princeton, June 22; January's, June 23; Eggs Point, June 25; Prown's, June 27, by W. H. Bolton.

Mound Bayou, June 22; Cook's, June 24; Latham's, June 25; Livingston's, June 27, by Robert Lewis.

Greenville, (county seat,) July 1. Election held by all the registrars. Of the times and places of holding the election in Bolivar county, Yazoo, and Sunflower, I beg leave to state I have not yet been notified. I further have the honor to state that I shall be at Boyd's store, in Sunflower county, on the 18th instant, and in Yazoo county during the election.

I have the honor to be, very respectfully, your obedient servant,

J. E. TOURTELLOTTE,

*Captain 28th Inf., Bvt Col. U. S. A., Inspector of Election.*

Brevet Major JOHN TYLER,

*A. A. A. General, Fourth Military District.*

A true copy :

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*

No. 50.

VICKSBURG, MISSISSIPPI, *June 22, 1868.*

MAJOR: I have the honor to report that, in obedience to orders received as inspector of election, I proceeded 'on June 16, 1868, up the Yazoo and Tallahatchie rivers, to visit the boards of registrars for Yazoo and Sunflower counties, and also Mr. Lewis, as registrar for Washington county. As the boards were not in session, I found the individual members of the boards of said counties as they were travelling through their respective precincts, giving notice of the time and places of election. I believe the orders concerning election are properly understood, and that the elections will be properly held. The times and places of holding election in Yazoo and Sunflower counties are as follows:

#### YAZOO COUNTY.

Hartstown, June 22; Lesell's, June 23; Deusonville, June 24; Benton, June 25; Whips, June 26; election held by T. R. Hilliard.

Phoenix, June 22; Satartia, June 23; Mechanicsburg, June 24, Dover, June 25; held by J. W. Bourmes.

Silver creek, June 22; Cobb's store, June 23; Crump's store, June 24; Wolf Lake, June 26; held by C. J. Shields.

Yazoo city, June 29 and 30; election held by all the registrars.

#### SUNFLOWER COUNTY.

Poindexter's, June 22; Turley's, June 24; Heard's, June 26; held by J. A. Hynes.

Minter's, June 22; Boyd's, June 24; held by C. Joubert.

Garvin's Ferry, June 22; Leigh's Landing, June 23; Powell's, June 25; Pierce, June 27; held by S. Schulz.

McNutt, (county seat,) June 29; election held by all the registrars.

I have the honor to be, very respectfully, your obedient servant,

J. E. TOURTELLOTTE,

*Captain 28th Inf., Bvt. Col. U. S. A., Inspector of Election.*

Brevet Major JOHN TYLER,

*A. A. A. G., Fourth Military District.*

A true copy:

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*

## No. 51.

CORINTH, MISSISSIPPI, *June 11, 1868.*

MAJOR: I have the honor to state that in accordance with instructions contained in Circular No. 5, headquarters 4th military district, I visited the board of registrars of Tishomingo county, Mississippi, at Corinth, on the 11th instant. About 150 names have been added to the lists of registered voters in this county. The board is a competent one, and will conduct the election strictly in accordance with the law and orders received.

I am, respectfully, your obedient servant,

LOYD WHEATON,

*Capt. 34th Inf., Bvt. Lt. Col. U. S. A., Inspector of Election.*

Brevet Major JOHN TYLER,

*A. A. A. Gen., Fourth Military District.*

A true copy :

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*

## No. 52.

CORINTH, MISSISSIPPI, *June 15, 1868.*

MAJOR: I have the honor to report that in compliance with instructions contained in Circular No. 5, current series, from headquarters fourth military district, I visited the board of registrars for Monroe county, at Aberdeen, Mississippi, on the 12th instant. During the five days the books were opened, 395 names were added to the registration list. The board is a competent one, and will doubtless perform its duties in the proper manner during the election.

I am, respectfully, your obedient servant,

LOYD WHEATON,

*Capt. 34th Inf., Bvt. Lt. Col. U. S. A., Inspector of Election.*

A true copy :

WM ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*

## No. 53.

CORINTH, MISSISSIPPI, *July 1, 1868.*

MAJOR: I have the honor to submit the following report of the election in Tishomingo county, Mississippi. The election commenced on the 22d of June, and was held on that date in the following named places: At Baldwin, in the southwestern part of the county and on the Mississippi and Ohio railroad; at Poplar Grove, in the southeastern part of the county, and at Eastport, in the northeastern part of the county. On the 23d of June, at Booneville, in the western part of the county and on the Mississippi and Ohio railroad; at Cape Fair and at Noncomah, in the eastern part of the county. On the 24th of June, at Rienzi, 12 miles south of Corinth, on the Mississippi and Ohio railroad; at Nichol-

son's, in the southeast part of the county, and at Iuka, in the east part of the county, 22 miles from Corinth, on the Memphis and Charleston railroad. On the 25th of June, at Lambert's, in the northeast part of the county. On the 26th of June, at Corinth, in the west part of the county; at Burnsville, on the Memphis and Charleston railroad, 12 miles east of Corinth, and at Jacinto, the county seat. On the 27th and 29th days of June, at Corinth. No election was held in two shares of the county on the 25th, owing to the distance between the voting places. No disturbance during the election occurred at any of the voting places.

By my direction detachments of five men, commanded by a non-commissioned officer, were stationed at Iuka and Burnsville while the polls were open.

I am, respectfully, your obedient servant,

LOYD WHEATON,

*Cap. 34th Inf., Bvt. Lt. Col. U. S. A., Inspector of Election.*

Brevet Major JOHN TYLER,

*A. A. A. Gen., Fourth Military District.*

A true copy:

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*

No. 54.

CORINTH, MISSISSIPPI, *July 1, 1868.*

MAJOR: I have the honor to report the following report of the election in Chickasaw county, Mississippi. The election commenced on the 22d day of June, and was held at the following places at that date: At Egypt, in the east part of the county; at Palo Alto, in the southeast part of the county; at Buena Vista, in the east part of the county. On the 23d day of June, at Okolona, in the northeast part of the county, and at Sparta, 15 miles southwest of Palo Alto. On the 24th day of June, at Dalton, in the south part of the State; at Hickory Flat, eight miles south of Okolona, and at Oak Grove, in the south part of the county. On the 25th day of June, at the following places: Atlanta and Flat Woods, in the north part of the State. On the 26th and 27th of June, the election was held at Houston, the county seat of the county. Mr. R. A. Murdoch, one of the registrars, held an election in his share of the county on the 25th instant, for the reason that the other shares of the county held one more precinct than in his, and all were to meet at Houston, on the 26th. No disturbance of any kind took place during the election. By my direction First Lieutenant Allen Amy, 34th infantry, was stationed at Okolona with a detachment of 12 men for the purpose of preserving order while the polls were open at that place.

Very respectfully, your obedient servant,

LOYD WHEATON,

*Cap. 34th Inf., Bvt. Lt. Col. U. S. A., Inspector of Election.*

Brevet Major JOHN TYLER,

*A. A. A. G., Fourth Military District.*

A true copy:

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*

## No. 55.

CORINTH, MISSISSIPPI, *July 6, 1868.*

MAJOR: I have the honor to submit the following report of the election in Monroe county, Mississippi. The election commenced on the 22d day of June, and was held at that date at the following named places: Rose's Mills, Smithville and White's Store; and on the 23d of June, at Curb Springs, Cibbs and Camarge; on the 24th of June, at Athens, Sapre and Boyd's; on the 25th of June, at Mormon Springs and Cotton Gin; on the 26th of June, at Lookhatten and Quincy; and at Aberdeen, the county seat, June 29 and 30 and July 1. Mr. Mathews, one of the registrars, did not hold any election in his share on the 25th, the distance between Athens and Lookhatten, being 21 miles, being too great to travel in time to open the polls at eight a. m., after closing at seven p. m. the previous day. No disturbance of any kind occurred in this county during the election. A detachment of 15 men, under the command of Second Lieutenant W. G. Sprague, 34th infantry, were stationed at Aberdeen, the county seat, during the election. The board of registrars has to this day failed to furnish me with the exact locality of the voting places.

I am, very respectfully, your obedient servant,

LOYD WHEATON,

*Capt. 34th Inf., Bvt. Lt. Col. U. S. A., Inspector of Election.*

Brevet Major JOHN TYLER,

*A. A. A. General, Fourth Military District.*

A true copy:

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*

## No. 56.

CORINTH, MISSISSIPPI, *July 6, 1868.*

MAJOR: I have the honor to submit the following report of the election in Itawamba county, Mississippi:

The election was held on the 22d of June, and was held on that date at the following named places: Pleasanton and Van Buren. On the 23d day of June, at Woodlawn, Baund's Crossroads and New Salem; on the 25th of June, at Brownsville, Burgess and Hampton; on the 26th of June, at Ryan's Well, Williams Crossroads; on the 27th of June, at Johnson's, and at Fulton, the county seat, on June 29th and 30th; and at Newchapel July 1. The election at the latter place was advertised for June 22d, but in consequence of a disturbance at that voting place the election was deferred until troops could be sent there from Tupelo, Mississippi. Troops arrived and election held on 1st of July. There was no election held on the 24th of June, in consequence of the distance between voting places being too great to be travelled in time to open the polls. Mr. Flood, one of the registrars, held no election in his share on the 26th, as the distance between his voting places was too great to be travelled in time to open the polls.

The disturbance at Newchapel was the attempt to arrest Mr. Flood, by virtue of a warrant issued by one Owen, of Tupelo, county of Lee, Mississippi. Owens is a United States commissioner and I am of opinion he issued the writ for the purpose of causing no election in Mr. Flood's

share of the county. Owens was arrested by Second Lieutenant F. W. Morrison, 34th infantry, and placed under guard. On the 2d of July a writ of habeas corpus, granted by Judge Hill of the United States district court for the northern district of Mississippi, was served upon Lieutenant Morrison. After asking instructions from Brevet Major General A. C. Gillem, Owens was released. No other disturbance occurred in any part of the county with the above exception. I am unable to report the exact locality of the voting places in the county, as it was impossible for me to be in the county during the election; and to this date the board of registration has failed to furnish me information giving the exact locality of the voting places.

Very respectfully, your obedient servant,

LOYD WHEATON,

*Capt. 34th Inf., Bvt. Lt. Col. U. S. A., Inspector of Election.*

Brevet Major JOHN TYLER,

*A. A. A. General, Fourth Military District.*

A true copy:

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*

#### No. 57.

CORINTH, MISSISSIPPI, *July 8, 1868.*

MAJOR: I have the honor to submit the following report of the election in Lee county, Mississippi:

The election commenced on the 22d of June and was held at that date at the following named places: At Young's, in the northwest of the county; at Stonewall, in the southwest of the county; at Elleston, in the north of the county. On June the 24th, at Gentown, in the northwest of the county, and at Shannon, in the south part of the county on the M. and O. R. R.; and at Ginboy's shop, locality not given in registrar's report. On June 26th at Baldwyn, in the north of the county; at Eureka, in the southeast part of the county, and at Chesterville, locality not given by registrars. On the 29th of June at Saltillo, in the northwest part of the county; at Richmond, in the east part of the county, and at Catis' Store, locality not given. On July 1st at Mooresville, in the east part of the county, and at Verona, in the south part of the county; and on July 2d and 3d at Tupelo, the county seat. Mr. Taukersly, registrar, states that the election was not held in his share of the county on consecutive days in consequence of the voting places being too far apart and roads very rough, so much so that these two causes combined rendered it impossible to reach the voting places in time to hold election on consecutive days. Mr. Barber and Mr. Rateliff state that the same causes which prevented Mr. Taukersly to hold election in his share of the county on consecutive days rendered it impracticable for them to hold the election in their shares on consecutive days.

No disturbance occurred in Lee county during the election. I am of opinion that if the board had used the same diligence that has been dis-

played by most of the boards of registrars, the election in the county could have been completed on the 1st instant.

Very respectfully, your obedient servant,

LOYD WHEATON,

*Capt. 34th Inf., Bvt. Lt. Col. U. S. A., Inspector of Election.*

Brevet Major JOHN TYLER,

*A. A. General, Fourth Military District.*

A true copy :

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*

No. 58.

MISSISSIPPI CITY, HARRISON COUNTY, MISS.,  
*June 22, 1868.*

MAJOR: In compliance with instructions contained in Circular No. 5, dated headquarters fourth military district, Vicksburg, May 29, 1868, I have the honor to report that I visited the counties of Franklin, Jefferson, Claiborne, Adams, and Wilkinson during the five days allotted to the revision of registration lists; and the counties of Hancock, Harrison and Jackson as soon as practicable subsequent thereto, finding the condition of affairs in each county as follows :

#### FRANKLIN COUNTY.

I met the board of registration at Meadville on Monday the 8th of June, the first day of revision, ample notice of which had been duly circulated. This board, save John P. Claughton recently appointed, is composed of the same members as last year, and are all competent and reliable men, well instructed in their duties. This county contains seven precincts, which have been divided into three election districts; the date of election of the several precincts of each being as follows :

*First district.*—Registrar, Leroy L. Key. Precincts: Hamburg, election June 22; Pine Grove, election June 24.

The distance between the above named precincts, 26 miles, and the character of the roads, render election on successive days impracticable.

*Second district.*—Registrar, C. N. Waterbury. Precincts: McCall's creek, election June 22; Jones', election June 23.

*Third district.*—Registrar, John P. Claughton. Precincts: Dry Bayou, election June 22; Whillington, election June 23; Meadville, county seat, election June 25.

The transportation of the commissioners of election from precinct to precinct will average \$10 per day.

The election notices for this county were directed to Meadville, and before those forwarded through headquarters post of Natchez reached their destination, C. N. Waterbury, president board of registrars, went to Summit, Mississippi, for another package of the same, a voucher for the expense of which, in my opinion, should be allowed. This county is quiet and peaceable, no outbreak during election being apprehended.

#### CLAIBORNE COUNTY.

I met the board of registration of this county at Port Gibson, Tuesday, the 9th instant. This board is composed of the same members as that of last year, with the exception of M. O. Hopkins, lately appointed sheriff

of said county. Sheriff Hopkins, at the first meeting of the board, presented to the same for adoption a series of rules that were to govern the board in their rulings and in all cases that might arise during the revision. I impressed upon the mind of this member that the members of the board of registration during the revision and the subsequent election would be governed exclusively, in all points that might arise, by the reconstruction acts, and the orders from headquarters fourth military district explanatory thereto, and none others. The fact of the revision being in progress, and this member having been lately appointed sheriff of said county by the general commanding, deterred me from recommending his removal. The remaining members are reliable and well versed in their duties. The county contains six precincts, which have been divided into three election districts; the days of holding the same in the precincts of each of the aforesaid districts being as follows:

*First district.*—Registrar, M. O. Hopkins. Precincts: Brandywine, election June 22; Bethel, election June 24.

*Second district.*—Registrar, C. G. Fisher. Precincts: Grand Gulf, election June 22; Battona, election June 24.

*Third district.*—Registrar, D. M. Dick. Precincts: Rocky Springs, election June 22; Port Gibson, (county seat,) election June 25 and 26.

The distance between the precincts of Brandywine and Bethel, in the first district, and the precincts of Grand Gulf and Pattona, in the second district, being, by the routes that are necessary to travel, some 30 miles, renders election on successive days impossible. The revision of the books was proceeding without any unusual excitement, some 60 names at the date of my inspection having been added, and a few duplicates. Though a heated political contest is in progress in this county, nothing serious is to be apprehended. The expenses of transportation of the commissioners of the election will average \$10 to \$12 per day.

#### JEFFERSON COUNTY.

I met board of registration of said county on Wednesday, June 10, 1868. This board being the same as the old one, save John B. Fleming, was well versed in their duties. W. K. Magee, member of same, contemplating being a candidate for the State legislature, sent in his resignation, the successor of whom I appointed, advising headquarters by telegraph. Revision of books proceeded with satisfactorily; about 100 new certificates at that date having been issued, and a few duplicates. A bitter feeling exists between the races in this county, with some danger of a collision. The commanding officer of the post of Natchez, upon my recommendation, has sent to Fayette a small detachment of troops, to remain until the election is completed. There are in this county eight precincts, which have been divided into three election districts; the dates of holding the election in the different precincts of the same being as follows:

*First district.*—Registrar, J. M. Ellis. Precincts: Union Church, election June 22; Ebenezer, election June 24.

*Second district.*—Registrar, John B. Fleming. Precincts: Church Hill, election June 22; Rodney, election June 23; Bledsoe's, election June 24.

*Third district.*—Registrar, ———. Precincts: Bethseda, election June 22; Red Lick, election June 23; Fayette, (county seat,) election June 26.

The expenses of transportation of commissioners of election in this county will average \$10 per day.



## ADAMS COUNTY.

Board of registration for above county visited at Natchez, Mississippi, Thursday, June 11, 1868. Upon this board Mr. Noonan was appointed, *vice* T. P. Sears, removed; the remaining members having been on the old board, and are experienced, trustworthy, and perfectly familiar with their duties. The revision in this county progressed without any unusual excitement, though an unusually large number of names were added to registration lists. Numerous applications were made by persons lately emigrated from Louisiana, to whom no certificates were issued. The election in this county will pass off peaceably. This county contains seven precincts, which have been divided for election purposes into three districts; the dates of holding the same in the several districts being as follows:

*First district.*—Registrar, N. L. Sellers. Precincts: Pine Ridge, election June 22; Washington, election June 23.

*Second district.*—Registrar, James Dickson. Precincts: Orgays, election June 22; Kingstown, election June 23.

*Third district.*—Precincts: Helms, election June 22; Dead Man's Beat, election June 23; Natchez, (county seat,) election June 25 and 26.

The expenses of transportation in this county of registrars while distributing notices of election in their several districts will vary from \$4 to \$5 per day each, and of commissioners of election from \$12 to \$15 per board per day.

## WILKINSON COUNTY.

Met the board of registrars for said county at Woodville, on Friday, June 12, 1868. The members of this board are well qualified and trustworthy, and, as far as my observation extended, performed the duties of revision in strict accordance with the orders pertaining thereto. A large number of names were added to the lists—341 whites and 118 blacks, and 69 duplicate certificates issued. The revision passed off quietly. In consequence of the unusually large number of registered voters in Woodville (county seat) precinct, I directed the registrar to whom said precinct had been allotted to hold election therein prior to the election held by all the commissioners on the last day. This county contains nine precincts, comprising three election districts; the dates of holding the same in the several precincts being as follows:

*First district.*—Registrar, James Johnson. Precincts: Mount Pleasant, election June 22; Newtonia, election June 23; Woodville, election June 24.

*Second district.*—Registrar, A. Liffingwell. Precincts: Pinkeyville, election June 22; Fort Adams, election June 23; Percy's Creek, election June 23.

*Third district.*—Registrar, A. Parker. Precincts: Caledonia Springs, election June 22; Perrytown, election June 23; Lower Horinchitte, election June 24; Woodville, (county seat,) election June 25.

The expenses of transportation of each registrar while engaged in the distribution of notices of the election will be \$3 50 per day, and commissioners of election \$10 per day.

## HANCOCK COUNTY.

Met board of registrars for said county at Shieldsboro', on Thursday, June 18, 1868. The board were experienced and trustworthy, and had performed the duty of revising the lists in a satisfactory and thorough

manner. Number of names added to the lists, 26; none erased; number of duplicates issued, 2. The registered voters in this county are few and widely scattered. The dates of the holding of the election in the different precincts of the three districts are as follows:

*First district*.—Registrar, Levi K. Brown. Precinct: Thompson's mills, election June 22.

*Second district*.—Registrar, Charles Chadwick. Precincts: Centre, election June 22; Riceville, election June 25; Tamacraw, election June 27.

*Third district*.—Precincts: Pearlinton, election June 22; Gainesville, election June 23; Shieldsboro', (county seat,) election June 30.

The consumed time in holding the election in this county is owing to the size of the county, the distance between the precincts in the northern part of the same, and the impassability of the roads, crossing, as they do, numerous creeks that are bridgeless. The distance between Centre and Riceville precincts is 40 miles, and the road in such condition that the greater portion of two days will be consumed in travelling it. The distance between Riceville and Tamacraw is 20 miles, requiring one day to travel it, and the distance between Tamacraw and Shieldsboro' is 57 miles, necessarily occupying two days, which would make the election in the latter place June 30, as above stated. The topography of this county is such that no different arrangement could well be made, and the short time intervening between this and the election, and the fact that notices of the same have already been posted, render a change unadvisable.

The expenses of registrars while engaged in the distribution of election notices will be \$5 each per day, and that of the transportation of the commissioners of election \$10 per day.

#### HARRISON COUNTY.

Met board of registration for the county on Friday, June 19, and found them competent and well acquainted with their duties, all having been on similar duty in this or other counties in the State last year. Examined the books and found the revision had been satisfactorily performed. Number of names added, 64; number erased, 2; number of duplicates issued, 5. In the Handsboro' precinct, in this county, a Ku-Klux organization is reported to exist, concerning which serious apprehensions exist among the blacks in that region, as a demonstration against one of their speakers was reported to have been recently made by said band. Should no advices from other portions of my district meet me in New Orleans, requiring my presence elsewhere, I propose returning to this county and being present at the election in this precinct; the simple presence of a United States officer, in my opinion, being sufficient to prevent any collision that might otherwise occur. This county is divided into three election districts, containing, in the aggregate, 11 precincts, the dates of holding the election in the same being as follows:

*First district*.—Registrar, Caleb Lindsay. Precincts: John Budd's, election June 22; Dale's, election June 24; John E. Budd's, election June 26.

*Second district*.—Registrar, Elias Lopez. Precincts: Green Thomas's, election June 22; Rescue, election June 24; Handsboro', election June 26.

*Third district*.—Registrar, W. S. Weeks. Precincts: Benny Wells's, election June 22; Biloxi, election June 23; Pass Christian, election June 25; Huddlesbones, election June 26.

The distance between the precincts in the 1st district is 20 miles, requiring one day to travel. One day each will be likewise consumed in travelling the distance between the precincts in the 2d district, and in the 3d district one day will be consumed between Biloxi and Pass Chris-

tian, and one day between Huddlesbones and Mississippi City, which, with the intervening Sunday, will bring the election to the latter place on the 29th. Expenses of transportation of each registrar while engaged in the distribution of election notices from \$3 to \$3.50 per day, and of commissioner of election \$10 per day.

#### JACKSON COUNTY.

Met board of registrars at Pascagoula on Saturday, June 20, examined the books, and found the revision had been satisfactorily made, with the results as follows: Number of names added to the lists, 60; number of names erased, 9; number of duplicates issued, 2. All quiet and peaceable, with the prospect of so remaining during the approaching election. The county contains five precincts, two of which, viz., Pascagoula and Ocean Springs, have two boxes each, making in all for the county seven voting places, which are districted, and elections held therein, as follows:

*First district.*—Registrar, G. H. Norton. Precincts: Pascagoula box, election June 22; Missy Point box, election June 24.

*Second district.*—Registrar, W. M. McKenna. Precincts: Ocean Springs; Ocean Springs box, election June 22; Galloway's, election June 24.

*Third district.*—Registrar, J. H. Lindsay. Precincts: Black Creek, election June 22; Pinetricky, election June 24; Americus, (county seat,) election June 26.

It will be impossible to hold elections on consecutive days in the above named precincts of the different districts, as the distance between them will consume one day travelling it.

Expenses of transportation of commissioners of election about \$5 per day per board, the most reasonable charge I have yet met with.

I am, very respectfully, your obedient servant,

CHARLES A. WIKOFF,

*Captain 24th Inf., Bvt. Major U. S. A., Inspector of Election.*

Brevet Major JOHN TYLER,

*A. A. A. General, Fourth Military District.*

A true copy:

WM. ATWOOD,

*First Lieut. 19th Infantry, A. A. A. G.*

### REPORT OF BREVET MAJOR GENERAL J. J. REYNOLDS, COMMANDING FIFTH MILITARY DISTRICT.

HEADQUARTERS FIFTH MILITARY DISTRICT,

(STATE OF TEXAS,)

*Austin, Texas, November 4, 1868.*

GENERAL: I have the honor to forward herewith annual tabular statement of expeditions and scouts, and report of movements of the various regiments serving in this district, for the year ending September 30, 1868.

Armed organizations, generally known as "Ku-Klux Klans," exist, independently or in concert with other armed bands, in many parts of Texas, but are most numerous, bold, and aggressive east of Trinity river.

The precise objects of the organizations cannot be readily explained, but seems, in this State, to be to disarm, rob, and in many cases murder Union men and negroes, and as occasion may offer, murder United States officers and soldiers; also to intimidate every one who knows anything of the organization but who will not join it.

The civil law east of the Trinity river is almost a dead letter. In some counties the civil officers are all, or a portion of them, members of the Klan. In other counties where the civil officers will not join the Klan, or some other armed band, they have been compelled to leave their counties. Examples are Van Zandt, Smith, and Marion counties; (the county seat of the latter is Jefferson.)

In many counties where the county officers have not been driven off their influence is scarcely felt. What political end, if any, is aimed at by these bands I cannot say, but they attend in large bodies the political meetings (barbecues) which have been and are still being held in various parts of this State under the auspices of the democratic clubs of the different counties.

The speakers encourage their attendance, and in several counties men have been indicated by name from the speaker's stand, as those selected for murder. The men thus pointed out have no course left them but to leave their homes or be murdered on the first convenient opportunity.

The murder of negroes is so common as to render it impossible to keep an accurate account of them.

Many of the members of these bands of outlaws are transient persons in the State; the absence of railroads and telegraphs and great length of time required to communicate between remote points facilitating their devilish purposes.

These organizations are evidently countenanced, or at least not discouraged, by a majority of the white people in the counties where the bands are most numerous. They could not otherwise exist.

I have given this matter close attention, and am satisfied that a remedy to be effective must be gradually applied and continued with the firm support of the army until these outlaws are punished or dispersed.

They cannot be punished by the civil courts until some examples by military commissions show that men can be punished in Texas for murder and kindred crimes. Perpetrators of such crimes have not heretofore, except in very rare instances, been punished in this State at all.

Free speech and a free press, as the terms are generally understood in other States, have never existed in Texas. In fact, the citizens of other States cannot appreciate the state of affairs in Texas without actually experiencing it. The official reports of lawlessness and crime, so far from being exaggerated, do not tell the whole truth.

Jefferson is the centre from which most of the trade, travel, and lawlessness of eastern Texas radiate, and at this point or its vicinity there should be stationed about a regiment of troops. The recent murder at Jefferson of Hon. G. W. Smith, a delegate to the constitutional convention, has made it necessary to order more troops to that point. This movement weakens the frontier posts to such an extent as to impair their efficiency for protection against Indians, but the bold, wholesale murdering in the interior of the State seems at present to present a more urgent demand for the troops than Indian depredations. The frontier posts should, however, be re-enforced if possible, as it is not improbable that the Indians from the northwest, after having suffered defeat there, will make heavy incursions into Texas.

To restore measurable peace and quiet to Texas will require, for a long

time, that troops be stationed at many county seats, until, by their presence, and aid if necessary, the civil law can be placed in the hands of reliable officers, and executed. This will be the work of years, and will be fully accomplished only by an increase of population.

I am, general, very respectfully, your obedient servant,

J. J. REYNOLDS,

*Brevet Major General U. S. A., Commanding.*

ADJUTANT GENERAL U. S. ARMY, *Washington, D. C.*

*Posts and stations garrisoned by the various regiments serving in the fifth military district, (late district of Texas,) October 1, 1867.*

FOURTH UNITED STATES CAVALRY.

Post or station.	Companies forming the garrison.	Remarks.
Camp Verde.....	Headquarters and companies B and L.	Company L left March 11, 1868, for Camp Trinidad, and arrived March 26, 1868. Company B left March 19, 1868, for Austin, and arrived March 26, 1868. Headquarters left March 25, 1868, for Fort Concho, and arrived April 2, 1868.
Fort Clark .....	Company C .....	Left post March 7, 1868, and arrived at Laredo March 12, 1868.
Fort Chadbourne.	Comp's A, D, G, H, & M.	Company A left March 25, 1868, for Fort McKavitt, and arrived March 30, 1868. Companies D, G, H, and M left Fort Chadbourne December 4, 1867, (discontinuance of post,) and arrived at Fort Concho December 6, 1867.
Fort Inge .....	Company K.....	Left post March 10, 1868, for Brownsville, and arrived March 30, 1868. Left post April 15, 1868, for Fort McKavitt, and arrived April 18, 1868. No changes. No changes.

SIXTH UNITED STATES CAVALRY.

Austin.....	Headquarters of company B.	Headquarters left August 23, 1868, for Fort Richardson, and arrived September 10, 1868.
Buffalo Springs..	Companies A, C, D, E, and F.	Companies A, C, D, E and F, left January 31, 1868, for Fort Richardson, (discontinuance of post,) and arrived February 12, 1868. Company A left July 15, 1868, for Pilot Grove, and arrived July 22, 1868.
Mount Pleasant..	Companies H and M.....	Companies H and M left April 20, 1868, for Fort Richardson, (discontinuance of post,) and arrived May 12, 1868. Company H left August 1, 1868, for Sulphur Springs, and arrived August 10, 1868.
New Orleans, La.	Company G .....	No changes.
Fort Griffin.....	Companies I, K and L ..	No changes. (Name of Camp Wilson changed to Fort Griffin.)

*Posts and stations garrisoned by the various regiments, &c.—Continued.*

## NINTH UNITED STATES CAVALRY.

Post or station.	Companies forming the garrison.	Remarks.
Fort Stockton ...	Headquarters and companies A, B, E and K.	Company K left April 9, 1868, for Fort (stock.) Davis, and arrived April 21, 1868.
Camp Hudson...	Companies D and G.....	Post discontinued. Company D left April 10, 1868, and arrived at Fort Stockton April 16, 1868. Company G left April 12, and arrived at Fort Clark April 16, 1868.
Brownsville .....	Companies L and M.....	Company L left Brownsville February 26, 1868, and arrived at Fort Inge April 10; left Fort Inge April 12, and arrived at Fort Duncan April 16, 1868. Company M left Brownsville February 1, 1868, and arrived at Fort Clark February 16, 1868.
Fort Davis.....	Companies C, F, H and I.	Companies C and I left May 1, 1868, and arrived at Fort Quitman May 8, 1868.

## FIRST UNITED STATES ARTILLERY.

Brownsville, ...	Light battery I.....	No changes.
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## SEVENTEENTH UNITED STATES INFANTRY.

Galveston.....	Headquarters and companies E, F, and K.	Headquarters left May 1, 1868, and arrived at Fort Griffin June 2, 1868. Company E left January 19, 1868, and arrived at Brenham January 21, 1868; left Brenham September 17, 1868, and arrived at Austin September 25, 1868. Company K left September 2, 1868, and arrived at Wharton September 4, 1868.
Hempstead.....	Companies A and B.....	Company B left January 19, 1868, and arrived at Austin, January 27, 1868. Company A left April 24, 1868, (discontinuance of post,) and arrived at Brenham April 24, 1868; left Brenham June 24, 1868, and arrived at Belton July 1, 1868. Company B left Austin September 10, 1868, and arrived at Brenham September 15, 1868.
Houston .....	Companies C and D ....	Post discontinued. Company C left April 28, 1868, and arrived at Fort Griffin May 26, 1868. Company D left April 28, 1868, and arrived at Fort Richardson May 24, 1868. left Fort Richardson September 18, and arrived at Sulphur Springs September 30, 1868.
Woodville.....	Company G .....	Post discontinued. Company left May 29, 1868, and arrived at Dallas July 1, 1868.
Round Top .....	Company I .....	Company left January 15, 1868, and arrived at Austin January 19, 1868.
Brenham .....	Company H.....	Company left January 27, 1868, and arrived at Centreville February 12, 1868; left (on discontinuance of post) April 30, 1868, and arrived at Fort Concho June 9, 1868.

*Posts and stations garrisoned by the various regiments, &c.—Continued.*

## TWENTY-SIXTH UNITED STATES INFANTRY.

Post or station.	Companies forming the garrison.	Remarks.
Austin .....	Headquarters .....	Headquarters left January 14, 1868, and arrived at Brownsville February 6, 1868.
Nacogdoches ....	Companies A and B .....	Company A left April 20, 1868, and arrived at Brownsville May 20, 1868; left May 22, 1868, and arrived at Ringgold barracks May 24, 1868. Company B left January 27, 1868, and arrived at Marshall February 1, 1868; left Marshall September 16, 1868, and arrived at Woodland September 30, 1868.
Lockhart .....	Company C .....	Post discontinued. Company left November 15, 1867, and arrived at Austin December 10, 1867; left January 14, 1868, and arrived at Brownsville February 6, 1868.
Lampasas .....	Company K .....	Post discontinued. Company left November 30, 1867, and arrived at Austin December 10, 1867; left January 15, 1868, and arrived at Brownsville February 6, 1868.
Tyler .....	Companies E, F, G, and I .....	Company E left Tyler December 28, 1867, and arrived at Cotton Gin January 3, 1868; left Cotton Gin March 26, 1868, and arrived at Ringgold barracks April 11, 1868. Company F left March 31, 1868, and arrived at Point Isabel April 22, 1868. Company G left December 16, 1867, and arrived at Kaufman December 21, 1867; left March 28, 1868, and arrived at Brownsville April 20, 1868. Company I left March 31, 1868, and arrived at Brownsville April 20, 1868; left Brownsville May 5, 1868, and arrived at Ringgold barracks May 7, 1868.
Waco .....	Company H .....	Post discontinued. Company left April 10, 1868, and arrived at Ringgold barracks April 20, 1868.
Centreville .....	Company D .....	Post discontinued. Company left February 1, 1868, and arrived at Ringgold barracks February 28, 1868.

## THIRTY-FIFTH UNITED STATES INFANTRY.

San Antonio .....	Headquarters and companies C, E, and I .....	Company C left March 12, 1868, and arrived at Camp Verde March 17, 1868. Companies E and I left April 9, 1868, and arrived at Fort McKavitt April 22, 1868. Company E left July 15, 1868, and arrived at Fort Concho July 18, 1868.
Refugio .....	Company D .....	Company left March 31, 1868, and arrived at San Antonio April 6, 1868; left April 9, 1868, and arrived at Fort McKavitt April 22, 1868.
Seguin .....	Company F .....	Post discontinued. Company left March 10, 1868, and arrived at San Antonio March 13, 1868.
Camp Concordia .....	Companies A and K .....	No changes.
Weatherford .....	Company G .....	Post discontinued. Company left April 1, 1868, and arrived at San Antonio April 23, 1868.
Indianola .....	Company B .....	No changes.
Goliad .....	Company H .....	Post discontinued. Company left April 1, 1868, and arrived at Fort Mason April 15, 1868.

*Posts and stations garrisoned by the various regiments, &c.—Continued.*

## FORTY-FIRST UNITED STATES INFANTRY.

Post or station.	Companies forming the garrison.	Remarks.
Brownsville .....	Headquarters and Cos. C, F, and H.	Headquarters left Brownsville February 5, 1868, and arrived at Ringgold barracks February 12, 1868; left Ringgold barracks March 1, 1868, and arrived at Fort Clark, March 29, 1868; left Fort Clark April 18, 1868, and arrived at Fort Duncan April 19, 1868. Company D left Brownsville January 17, 1868, and arrived at Ringgold barracks January 27, 1868; left Ringgold barracks March 30, 1868, and arrived at Fort Clark March 30, 1868. Company F left Brownsville December 26, 1867, and arrived at Point Isabel January 1, 1868; left Point Isabel February 5, 1868, and arrived at Ringgold barracks February 12, 1868; left Ringgold barracks March 3, 1868, and arrived at Fort Clark March 30, 1868. Company H left Brownsville February 5, 1868, and arrived at Ringgold barracks February 12, 1868; left Ringgold barracks March 5, 1868, and arrived at Fort Clark March 30, 1868; left Fort Clark April 12, 1868, and arrived at Fort Quitman May 10, 1868.
Laredo .....	Company E .....	Company left Laredo March 15, 1868, and arrived at Fort Clark March 29, 1868; left Fort Clark April 1, 1868, and arrived at Fort Davis April 29, 1868.
Point Isabel.....	Company B .....	Company left Point Isabel January 8, 1868, and arrived at Brownsville January 10, 1868; left Brownsville February 5, 1868, and arrived at Ringgold barracks February 12, 1868; left Ringgold barracks March 3, 1868, and arrived at Fort Clark March 30, 1868; left Fort Clark April 1, 1868, and arrived at Fort Davis April 29, 1868.
Ringgold barr'ks.	Companies A, D, and G.	Company A left Ringgold barracks December 20, 1867, and arrived at Brownsville January 1, 1868; left Brownsville February 5, 1868, and arrived at Ringgold barracks February 12, 1868; left Ringgold barracks March 3, 1868, and arrived at Laredo March 13, 1868; left Laredo April 5, 1868, and arrived at Fort Stockton May 10, 1868. Company D left Ringgold barracks March 3, 1868, and arrived at Fort Clark March 30, 1868; left Fort Clark April 1, 1868, and arrived at Fort Inge April 5, 1868. Company G left Ringgold barracks March 3, 1868, and arrived at Fort Clark March 30, 1868; left Fort Clark April 1, 1868, and arrived at Fort Stockton April 21, 1868.



*Posts and stations garrisoned by the various regiments serving in the fifth military district on the 30th of September, 1868.*

## FOURTH UNITED STATES CAVALRY.

Post or station.	Companies forming the garrison.
Austin .....	Company B.
Brownsville .....	Company K.
Fort Concho .....	Headquarters and companies D, G, H, and, M.
Fort McKavitt .....	Companies A and F.
Grand Ecore (d. s. in department of La.)...	Company I.
Lake Trinidad .....	Company L.
Laredo .....	Company C.
Mourue, (d. s. in department of La.).....	Company E.

## SIXTH UNITED STATES CAVALRY.

Austin .....	Company B.
Fort Griffin .....	Companies I, K, and L.
Fort Richardson .....	Headquarters and cos. C, D, E, F, and M.
New Orleans, (d. s. in department of La.)...	Company G.
Pilot Grove .....	Company A.
Sulphur Springs .....	Company H.

## NINTH UNITED STATES CAVALRY.

Fort Clark .....	Companies G and M.
Fort Davis .....	Headquarters and companies C, F and K.
Fort Duncan .....	Company L.
Fort Quitman .....	Companies H and I.
Fort Stockton .....	Companies A, B, D and E.

## FIRST UNITED STATES ARTILLERY.

Brownsville .....	Light battery E.
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## FIFTEENTH UNITED STATES INFANTRY.

Bryan station .....	Company K, en route.
Clarksville .....	Company B, en route.
Huntsville .....	Company F, en route.
Jefferson .....	Company H.
Livingston .....	Company A, en route.
Marshall .....	Headquarters and companies C and G.
Palestine .....	Company E.
San Augustine .....	Company I.
Tyler .....	Company D.

*Posts and stations garrisoned by the various regiments, &c.—Continued.*

## SEVENTEENTH UNITED STATES INFANTRY.

Post or station.	Companies forming the garrison.
Austin .....	Companies E and I.
Belton .....	Company A.
Brenham .....	Company B.
Dallas .....	Company G.
Fort Concho .....	Company H.
Fort Griffin .....	Headquarters and company C.
Galveston .....	Company F.
Sulphur Springs .....	Company D.
Wharton .....	Company K.

## TWENTY-SIXTH UNITED STATES INFANTRY.

Brownsville .....	Headquarters and companies C, G and K.
Point Isabel .....	Company F.
Ringgold barracks .....	Companies A, D, E, H and I.
Woodland .....	Company B.

## THIRTY-FIFTH UNITED STATES INFANTRY.

Camp Concordia .....	Companies A and K.
Camp Verde .....	Company C.
Fort Concho .....	Company E.
Fort Mason .....	Company H.
Fort McKavett .....	Companies D and I.
Indianola .....	Company B.
San Antonio .....	Headquarters and companies F and G.

## FORTY-FIRST UNITED STATES INFANTRY.

Fort Clark .....	Companies C and F.
Fort Davis .....	Companies B and E.
Fort Duncan .....	Headquarters and companies I and K.
Fort Inge .....	Company D.
Fort Quitman .....	Company H.
Fort Stockton .....	Companies A and G.

J. J. REYNOLDS,

*Brevet Major General United States Army, Commanding.*

*Statement of expeditions and scouts made in the district of Texas and Fifth Military District, (State of Texas,) during the year ending September 30, 1868. First quarter ending December 31, 1867.*

## HEADQUARTERS FIFTH MILITARY DISTRICT,

(STATE OF TEXAS,)

*Austin, Texas, November 4, 1868.*

A party was sent out from Fort Chadbourne, Texas, commanded by Second Lieutenant G. A. Thurston, 4th cavalry, composed of troops from company D, 4th cavalry, consisting of 1 officer, 42 enlisted men. Departed August 31, 1867; returned October 2, 1867. Passed through country along Rio Concho and Pecos. Travelled a distance of 354 miles to operate against the Comanche Indians. No Indians seen.

A party was sent out from Fort Chadbourne, Texas, commanded by

Sergeant John De Lacy, 4th cavalry, composed of troops from company D, 4th cavalry, consisting of 14 enlisted men. Departed September 25, 1867; returned October 6, 1867. Passed through country along Rio Concho and Pecos. Travelled a distance of 258 miles to operate against the Comanche Indians. No Indians seen.

A party was sent out from Fort Clark, Texas, commanded by Sergeant John Sugden, 4th cavalry, composed of troops from company C, 4th cavalry, consisting of 18 enlisted men. Departed October 10, 1867; returned October 20, 1867. Passed through country along Nueces river. Travelled a distance of 200 miles to operate against the Comanche Indians. No Indians seen.

A party was sent out from Fort Chadbourne, Texas, commanded by First Lieutenant James Callehan, 4th cavalry, composed of troops from company H, 4th cavalry, consisting of 1 officer, 45 enlisted men. Departed September 30, 1867; returned October 28, 1867. Passed through country along Rio Concho and Pecos. Travelled a distance of 632 miles to operate against the Comanche Indians. No Indians, but some signs seen.

A party was sent out from Rio Concho, Texas, commanded by Second Lieutenant G. A. Thurston, 4th cavalry, composed of troops from companies D, G, H, and M, 4th cavalry, consisting of 1 officer, 22 enlisted men. Departed December 19, 1867; returned December 23, 1867. Passed through country along main Concho river. Travelled a distance of 130 miles to operate against the Kickapoo Indians. No Indians, but some signs seen.

A party was sent out from Camp Wilson, Texas, commanded by Sergeant W. A. T. Ahrberg, 6th cavalry, composed of troops from 6th cavalry, consisting of 45 enlisted men, 22 Indians. Departed October 13, 1867; returned October 19, 1867. Passed through Shackelford, Stephens, and Palo Pinto counties. Travelled a distance of 160 miles, to operate against the Comanches. Indians killed, 3; prisoners taken, 1 woman; property captured: 19 horses, 1 mule, and two revolvers. Found and buried the remains of five men, (citizens who had been murdered by Indians.) The horses were stolen and have since been returned.

A party was sent out from Buffalo Springs, Texas, commanded by First Lieutenant E. Manck, 6th cavalry, composed of troops from the 6th cavalry, consisting of 1 officer, 25 enlisted men, 1 citizen. Departed November 8, 1867; returned November 12, 1867. Passed through Montague and Clay counties. Travelled a distance of 120 miles to operate against the Comanche Indians.

#### SECOND QUARTER, ENDING MARCH 31, 1868.

A party was sent out from Camp Verde, Texas, commanded by Sergeant W. Stewart, 4th cavalry, composed of troops from companies B and L, 4th cavalry, consisting of 13 enlisted men. Departed January 4, 1868; returned January 7, 1868. Passed through country along Medina river. Travelled a distance of 80 miles to operate against the Kickapoo Indians. No Indians seen.

A party was sent out from Fort Clark, Texas, commanded by Sergeant G. E. Mansfield, 4th cavalry, composed of troops from company C, 4th cavalry, consisting of 12 enlisted men. Departed January 6, 1868; returned January 9, 1868. Passed through country between Sycamore and Los Moras creek. Travelled a distance of 120 miles, to operate against the Comanche Indians. No Indians seen.

A party was sent out from Camp Verde, Texas, commanded by Second Lieutenant O. Grosvenor, 4th cavalry, composed of troops from compa-

nies B and L, 4th cavalry, consisting of 1 officer and 18 enlisted men. Departed February 4, 1868; returned February 6, 1868. Passed through country along Rio Guadalupe. Travelled a distance of 90 miles to operate against the Kickapoo Indians. No Indians seen.

A party was sent out from Camp Verde, Texas, commanded by Corporal J. Mauley, 4th cavalry, composed of troops from companies B and L, 4th cavalry, consisting of 6 enlisted men. Departed February 7, 1868; returned February 9, 1868. Passed through country along Guadalupe and Ferdinales rivers. Travelled a distance of 80 miles to operate against the Kickapoo Indians. No Indians seen.

A party was sent out from Camp Verde, Texas, commanded by Second Lieutenant J. M. Walton, 4th cavalry, composed of troops from companies B and L, 4th cavalry, consisting of 1 officer and 26 enlisted men. Departed February 6, 1868; returned February 10, 1868. Passed through country along Medina river. Travelled a distance of 120 miles to operate against the Kickapoo Indians. No Indians seen.

A party was sent out from Camp Verde, Texas, commanded by First Lieutenant William J. Maberly, 4th cavalry, composed of troops from companies B and L, 4th cavalry, consisting of 1 officer and 17 enlisted men. Departed March 1, 1868; returned March 4, 1868. Passed through country along Rio Pecos and Rio Hondu. Travelled a distance of 125 miles to operate against the Kickapoo Indians. No Indians seen, but abundant signs.

A party was sent out from Fort Concho, Texas, commanded by Sergeant C. Gale, 4th cavalry, composed of troops from company D, 4th cavalry, consisting of 6 enlisted men. Departed March 10, 1868; returned March 11, 1868. Passed through country towards Rio Colorado. Travelled a distance of 120 miles to operate against the Comanche Indians. Indians killed, 1; property captured, 10 horses.

A party was sent out from Fort Griffin, Texas, commanded by Second Lieutenant H. F. Winchester, 6th cavalry, composed of troops from companies F, I, K and L, 6th cavalry, consisting of 1 officer and 19 enlisted men. Departed March 2, 1868; returned March 4, 1868. Passed through Shackleford county. Travelled a distance of 48 miles to operate against the Comanche Indians. Lieutenant Winchester having become satisfied that the Indians were too far in advance to be overtaken, returned to camp.

A party was sent out from Fort Griffin, Texas, commanded by First Lieutenant G. Schreyer, 6th cavalry, composed of troops from companies F, I, K and L, 6th cavalry, consisting of 1 officer and 20 enlisted men. Departed January 3, 1868; returned January 5, 1868. Passed through Shackleford county. Travelled a distance of 50 miles to operate against the Comanche Indians. Found no trail of Indians.

A party was sent out from Fort Griffin, Texas, commanded by Second Lieutenant D. C. McIntyre, 6th cavalry, composed of troops from companies F, I, K and L, 6th cavalry, consisting of 1 officer and 17 enlisted men. Departed February 4, 1868; returned February 5, 1868. Passed through Shackleford county. Travelled a distance of 36 miles to operate against the Comanche Indians. Lieutenant McIntyre returned without being able to find the party which he was sent in pursuit of.

A party was sent out from Fort Griffin, Texas, commanded by Captain A. R. Chaffer, 6th cavalry, composed of troops from companies F and I, 6th cavalry, consisting of 4 officers, 62 enlisted men, and 7 Indians. Departed March 5, 1868; returned March 9, 1868. Passed through Haskell and Jones counties. Travelled a distance of 130 miles to operate against the Comanche Indians. Indians killed, 7; property captured, 2 horses, 2 ponies, 1 mule, with shields, bows and arrows, and all saddle

equipments of the party; enlisted men wounded, 3. Privates Ryan, company F, Hoffman, company I, and Butler, company I, 6th cavalry, were wounded.

A party was sent out from Sherman, Texas, commanded by Corporal C. Henold, 6th cavalry, composed of troops from company D, 6th cavalry, consisting of 13 enlisted men and 7 citizens. Departed March 7, 1868; returned March 10, 1868. Passed through Collins, Hunt and Grayson counties. Travelled a distance unknown to operate against outlaws. Sent out to break up an organization known as Lee's band of thieves and outlaws in Read creek swamp, Collins county. Indians killed, 2; prisoners, 5, (men.)

A party was sent out from Fort Richardson, Texas, commanded by First Lieutenant J. F. Hill, 6th cavalry, composed of troops from companies A, C, D and E, 6th cavalry, consisting of 1 officer, 20 enlisted men, and 3 Indians. Departed March 7, 1868; returned March 14, 1868. Passed through Jack and Clay counties. Travelled a distance of 150 miles to operate against the Comanche Indians. No Indians seen.

A party was sent out from Fort Richardson, Texas, commanded by Second Lieutenant W. A. Borthwick, 6th cavalry, composed of troops from companies A, C, D and E, 6th cavalry, consisting of 1 officer, 20 enlisted men, and 3 Indians. Departed March 15, 1868; returned March 24, 1868. Passed through Jack and Clay counties. Travelled a distance unknown to operate against the Comanche Indians. No Indians seen.

A party was sent out from Buffalo Springs, Texas, commanded by Second Lieutenant G. E. Overton, 6th cavalry, composed of troops from companies A, C, D and E, 6th cavalry, consisting of 1 officer, 20 enlisted men, and 1 citizen. Departed March 20, 1868; returned March 21, 1868. Passed through Clay county. Travelled a distance of 50 miles to operate against the Comanche Indians. Sent in pursuit of Indians.

A party was sent out from Buffalo Springs, Texas, commanded by Corporal T. Williams, 6th cavalry, composed of troops from company D, 6th cavalry, consisting of 5 enlisted men. Departed March 30, 1868; returned March 31, 1868. Passed through Clay county. Distance travelled unknown. Sent out to make observations on the Little Wachita.

#### THIRD QUARTER, ENDING JUNE 30, 1868.

A party was sent out from Laredo, Texas, commanded by First Lieutenant J. B. Cole, 4th cavalry, composed of troops from company C, 4th cavalry, consisting of 1 officer and 25 enlisted men. Departed April 8, 1867; returned April 20, 1868. Passed through country between Laredo and Eagle Pass. Travelled a distance of 250 miles. No Indians seen.

A party was sent out from Fort Concho, Texas, commanded by First Lieutenant T. J. Wint, 4th cavalry, composed of troops from companies D, H, and M, 4th cavalry, consisting of 1 officer, 33 enlisted men, and 1 citizen. Departed May 15, 1868; returned May 15, 1868. Passed through country along South Concho. Travelled a distance of 14 miles to operate against the Comanche Indians. No Indians or signs seen.

A party was sent out from Laredo, Texas, commanded by Corporal J. Conover, 4th cavalry, composed of troops from company C, 4th cavalry, consisting of 7 enlisted men. Departed June 3, 1868; returned June 4, 1868. Passed through Laredo to San Ignacio. Travelled a distance of 245 miles. No Indians seen.

A party was sent out from Fort Concho, Texas, commanded by Sergeant C. Rodamore, 4th cavalry, composed of troops from companies D, H, and M, 4th cavalry, consisting of 13 enlisted men and 1 citizen. Departed

June 7, 1868; returned June 8, 1868. Passed head-waters of Concho. Travelled a distance of 50 miles to operate against the Comanche Indians. No Indians or signs seen.

A party was sent out from Fort Richardson, Texas, commanded by First Lieutenant E. Mauck, 6th cavalry, composed of troops from companies A, C, D, E, F, H, and M, 6th cavalry, consisting of 2 officers, 66 enlisted men, and 2 citizens. Departed May 3, 1868; returned May 14, 1868. Passed through Texas. Travelled a distance of 212 miles to operate against the Comanche Indians. No Indians seen.

A party was sent out from Fort Richardson, Texas, commanded by Captain D. Madden, 6th cavalry, composed of troops from companies A, D, E, H, and M, 6th cavalry, consisting of 2 officers, 44 enlisted men, and 2 citizens. Departed May 3, 1868; returned May 17, 1868. Passed through Texas. Travelled a distance of 267 miles to operate against the Comanche Indians. No Indians seen.

A party was sent out from Fort Richardson, Texas, commanded by First Lieutenant T. M. Tolman, 6th cavalry, composed of troops from companies A, C, D, E, F, and H, 6th cavalry, consisting of 5 officers, 407 enlisted men, and 2 citizens. Departed June 2, 1868; returned June 12, 1868. Passed through Texas. Travelled a distance of 600 miles to operate against the Comanche Indians. No Indians seen.

A party was sent out from Fort Griffin, Texas, commanded by First Lieutenant A. Kramer, 6th cavalry, composed of troops from companies I, K, and L, 6th cavalry, consisting of 3 officers, 50 enlisted men, 15 Indians, and 1 citizen. Departed June 18, 1868; returned June 30, 1868. Passed through Texas. Travelled a distance of 240 miles to operate against the Tonkawas and Comanche Indians. No Indians seen.

A party was sent out from Fort Stockton, Texas, commanded by Captain F. S. Hodge, 9th cavalry, composed of troops from companies A, B, D, and E, 9th cavalry, consisting of 1 officer and 29 enlisted men. Departed May 3, 1868; returned May 14, 1868. Passed through Texas. Travelled a distance of 350 miles. No Indians seen.

A party was sent out from Fort Quitman, Texas, commanded by Captain H. Carroll, 9th cavalry, composed of troops from companies F, H, and I, 9th cavalry, consisting of 1 officer and 30 enlisted men. Departed May 19, 1868; returned May 24, 1868. Passed through Texas. Travelled a distance of 170 miles. No Indians seen.

A party was sent out from Fort Stockton, Texas, commanded by Captain G. H. Gamble, 9th cavalry, composed of troops from companies A, B, D, and E, 9th cavalry, consisting of 1 officer and 22 enlisted men. Departed June 19, 1868; returned June 22, 1868. Passed through Texas. Travelled a distance of 100 miles. No Indians seen.

A party was sent out from Fort Richardson, Texas, commanded by First Lieutenant T. M. Tolman, 6th cavalry, composed of troops from 6th cavalry, consisting of 4 officers and 92 enlisted men. Departed June 2, 1868; returned July 2, 1868. Passed through Texas. Travelled a distance not stated to operate against the Comanches. No Indians seen.

A party was sent out from Fort Richardson, Texas, commanded by Second Lieutenant H. P. Eakin, 6th cavalry, composed of troops from 6th cavalry, consisting of 1 officer and 21 enlisted men. Departed June 15, 1868; returned July 6, 1868. Passed through Texas. Travelled a distance not stated to operate against murderers. No murderers found.

A party was sent out from Fort Richardson, Texas, commanded by First Lieutenant J. F. Hill, 6th cavalry, composed of troops from 6th cavalry, consisting of 1 officer and 20 enlisted men. Departed June 17, 1868; returned July 17, 1868. Passed through Texas. Travelled a distance not stated to operate against murderers. No murderers found.

A party was sent out from Fort Richardson, Texas, commanded by Second Lieutenant G. E. Overton, 6th cavalry, composed of troops from 6th cavalry, consisting of 1 officer and 15 enlisted men. Departed July 10, 1868; returned August 11, 1868. Passed through Texas. Travelled a distance not stated to operate against murderers. No murderers found.

A party was sent out from Fort Richardson, Texas, commanded by Second Lieutenant G. E. Overton, 6th cavalry, composed of troops from 6th cavalry, consisting of 1 officer and 11 enlisted men. Departed August 16, 1868; returned August 21, 1868. Passed through Texas. Travelled a distance not stated to operate against Comanches. No Indians seen.

A party was sent out from Fort Richardson, Texas, commanded by Captain D. Madden, 6th cavalry, composed of troops from 6th cavalry, consisting of 1 officer and 10 enlisted men. Departed August 17, 1868; returned August 21, 1868. Passed through Texas. Travelled a distance not stated to operate against desperadoes. No desperadoes seen.

A party was sent out from Fort Richardson, Texas, commanded by Second Lieutenant J. M. Burns, 17th infantry, composed of troops from 6th cavalry, consisting of 1 officer and 5 enlisted men. Departed August 24, 1868; returned August 28, 1868. Passed through Texas. Travelled a distance not stated to operate against desperadoes. No desperadoes found.

A party was sent out from Fort Richardson, Texas, commanded by Captain D. Madden, 6th cavalry, composed of troops from 6th cavalry, consisting of 2 officers and 50 enlisted men. Departed August 28, 1868; returned September 3, 1868. Passed through Texas. Travelled a distance not stated to operate against Comanches. No Indians seen.

A party was sent out from Fort Richardson, Texas, commanded by First Lieutenant H. E. Scott, 6th cavalry, composed of troops from companies I, K and L, 6th cavalry, consisting of 2 officers, 50 enlisted men, and 5 Indians. Departed September 5, 1868; returned September 9, 1868. Passed through Texas. Travelled a distance of 136 miles to operate against Comanches. No Indians seen.

A party was sent out from Austin, Texas, commanded by First Lieutenant H. S. Howe, 17th infantry, composed of troops from the 6th cavalry, consisting of 1 officer and 7 men. Departed September 22, 1868; returned September 23, 1868. Passed through Travis county, Texas. Travelled a distance of 14 miles. Operated against citizens. One citizen taken prisoner. Two enlisted men killed. Privates D. O'Connor and B. Curry, company B, 6th cavalry, killed by John McGuire (citizen,) who was arrested.

A party was sent out from Fort Davis, Texas, commanded by First Lieutenant P. Cusack, 9th cavalry, composed of troops from companies C, F and L, 9th cavalry, consisting of 1 officer, 60 enlisted men and 10 citizens. Departed September 8, 1868; returned September 23, 1868. Passed through country east of Fort Davis. Travelled a distance of 180 miles. Operated against the Meskaleros and Inlanos. Twenty-five Indians killed, and 25 wounded. One hundred and ninety-eight animals captured. Entire provisions and wigwams destroyed. Three enlisted men wounded. One Mexican boy captured. Privates G. Collyer, company F, Lewis White, company C, and John Foster, company K, 9th cavalry, were wounded.

The quarterly statement of the 4th cavalry, for the quarter ending September 30, 1868, not yet being received, a copy of same will be forwarded as soon as received, to complete the above annual statement.

J. J. REYNOLDS,

*Brevet Major General U. S. A., Commanding.*

*Statement showing the number of persons murdered in the State of Tennessee, by whom, and when, and the action taken in each case by the civil authorities, from July 1, 1867, to July 1, 1868.*

No.	Names of persons murdered.	Names of murderers.	Where murdered.		Date of murder.	Result of trial.		Remarks.
			Town.	County.		Convicted or acquitted.		
MIDDLE TENNESSEE.								
1	Unknown, (colored) .....	Edmonson, — .....	Shelbyville .....	Bedford .....	Feb. 15, 1868	No trial.....	The criminal fled the country, and has not yet been arrested.	
2	Brinkley, H. W. ....	Harris, E. B. ....	.....	Cheatham .....	July 18, 1867	Convicted .....	Sentenced to 10 years in penitentiary; pardoned by Gov. Brownlow.	
3	Martin, Sarah, (colored)....	Unknown .....	Near Woodbury ..	Cannon .....	July 2, 1867	No trial.....	Girl 14 years of age; after being ravished, murdered while at work in a corn-field.	
4	May, Mashlock .....	Owens, O. C. ....	.....	Davidson .....	.....do.....	.....do.....	Criminal still at large.	
5	Riley, Thomas .....	White, Edmund .....	.....	.....do.....	Aug 29, 1867	.....do.....	Do.	
6	Carrise, John .....	Coughin, John .....	.....	.....do.....	Sept. 4, 1867	Bound over....		
7	Archibald, Mrs .....	Archibald, John .....	.....	.....do.....	Nov. 26, 1867	.....do.....		
8	Drake, James, (colored)....	Crockett, Bros. ....	Near Brentwood ..	.....do.....	Oct. 1, 1867	Acquitted .....	Proved an <i>alibi</i> and was acquitted.	
9	Reynolds, Jas., (U. S. sold'r)	Bownor, Lewis (U. S. sold'r)	.....do.....	.....do.....	Jan. 10, 1868	Convicted .....	Sentenced to 6 years in penitentiary.	
10	Newsome, B .....	Phipps, Robert .....	.....do.....	.....do.....	May 17, 1868	No trial.....	Phipps fled the country and is still at large; a reward of \$500 is offered for his capture.	
11	Chatham, R .....	Funston, (detective) ..	.....do.....	.....do.....	June 25, 1868	.....do.....	As the deed was committed by the officer in the discharge of his duty, no action was taken.	
12	Brown, — .....	State militia .....	.....do.....	Franklin .....	Aug. 10, 1867	.....do.....	No effort made by authorities to arrest murderer.	
13	Dixon, — .....	Taylor, — .....	.....do.....	.....do.....	Dec. —, 1867	.....do.....	Do.	
14	Switer, Newton, (colored) ..	Boddy, — .....	.....do.....	.....do.....	Mar. —, 1868	Acquitted .....		
15	Rhodes, Orange, (colored) ..	Unknown .....	Pulaski .....	Giles .....	Jan. 7, 1868	No trial.....	Supposed to have been killed by one McLemon (white) in the riot led by one Calvin Leberth, (white.) All participants were indicted.	
16	Simno, Peter, (colored) ....	Unknown men in disguise..	.....do.....	.....do.....	June 29, 1868	.....do.....	Taken from jail and shot in one of the principal streets of Pulaski, at about 1 o'clock at night.	
17	Birch, —, (colored) .....	.....do.....	Connorsville.....	.....do.....	July 4, 1868	.....do.....	No action taken by the civil authorities.	
18	Cannon, — .....	Richardson, O .....	Pulaski .....	.....do.....	Unknown .....	.....do.....	The murderer was indicted, arrested, and confined in jail, but was released by a party of disguised men at night, and has not been rearrested.	
19	Gilbert, Thomas .....	Westmoreland, Dr. P. ....	.....do.....	.....do.....	.....do.....	.....do.....	No action taken by the civil authorities.	
20	Mitchell, Robert .....	Hammond, Wm .....	.....do.....	.....do.....	.....do.....	Bound over....		
21	Porter, Chas .....	Perry, Wm .....	.....do.....	Humphreys .....	Sept. 15, 1867	No trial.....	Perry fled the country, and is at large.	
22	Woodford, Henry, (colored) ..	Name unknown .....	.....do.....	.....do.....	Dec. 18, 1867	Acquitted .....		
23	Marabel, John, (colored) ..	Seary, Robert .....	.....do.....	.....do.....	Feb. —, 1868	.....do.....		
24	Holmes, Frank .....	Smith, Dallas .....	Johnsnnville.....	.....do.....	May 22, 1868	No trial.....	Both parties were under influence of liquor; entered into a quarrel about domestic affairs, which resulted in the death of Holmes. Both were fishermen, and of bad character. The murderer has not been arrested.	



Statement showing the number of persons murdered in the State of Tennessee, &c.—Continued.

No.	Names of persons murdered.	Names of murderers.	Where murdered.		Date of murder.	Result of trial.	Remarks.
			Town.	County.		Convicted or acquitted.	
	MIDDLE TENN.—Cont'd.						
25	Unknown man .....	Unknown .....		Humphreys....	May —, 1868	No trial.....	A stranger found dead on the bank of the river; was shot in several places by pistol balls, one shot entering his left breast near the heart. Had his head badly bruised by a club.
26	Name unknown, man.....	Bicknell, —.....		Lawrence .....	Feb. 29, 1868	...do.....	Shot from his horse while riding through the country on a collecting tour. The murderer fled, taking his victim's horse, but was pursued and captured by some of the K. K. K. and brought to Columbia, Maury county, Tenn., and confined in jail. (See No. 34.)
27	Bosson, James .....	Campbell, L. L.....		Montgomery ..	July —, 1867	Bound over....	Campbell was put under bonds, but forfeited the same and is still at large.
28	McGuire, Patrick .....	Hannah, James.....		..do.....	Sept. 18, 1867	In jail .....	Awaiting trial.
29	Johnson, Richard, (colored)	Unknown .....	Near Davis Mills	..do.....	Oct. 25, 1867	No trial.....	The murderer has not yet been arrested; no action taken by the civil authorities.
30	Martin, Sarah, (colored)....	..do .....		..do.....	Oct. 18, 1867	...do.....	No action taken by the civil authorities.
31	Courtney, John .....	Unknown men in disguise..		Maury .....	Dec. —, 1867	...do.....	Do.
32	Unknown man, (colored)...	Unknown .....	Bigbee ville ..	..do.....	..do.....	...do.....	Found dead near door of his shoe-shop; no arrest.
33	Washington, John, (col'd)...	Bercey, Lacy, (colored) ..		..do.....	..do.....	In jail .....	Awaiting trial.
34	Bicknell, —.....	Pitts alias Waters, (K. K. K.)		..do.....	Mar. 2, 1868	No trial.....	Taken from jail (where he was confined for murder) and hung by the K. K. K.
35	Jones, Ruth, (colored) .....	McKinley, —.....		..do.....	Mar. 13, 1868	In jail .....	Mrs. Jones was shot and killed while riding in a wagon beside her husband, without the least provocation whatever. The murderer was arrested the same evening and confined in the jail to await trial.
36	Littleton, Rev. L.....	Unknown men in disguise..		..do.....	Apr. 7, 1868	No trial.....	No effort was made by the authorities to arrest and punish the murderers.
37	Fitzpatrick, H., (colored) ..	..do .....		..do.....	..do.....	...do.....	Hung to a tree and then shot through the head.
38	Unknown man, (colored)...	..do .....	Near Columbia ..	..do.....	..do.....	...do.....	Said to have been killed by the K. K. K. for the crime of incendiarism, upon his own confession. It has since transpired that he was not guilty, but some conservative from Columbia, Tenn.
39	Unknown man, (colored)...	..do .....		..do.....	Apr. —, 1868	...do.....	No effort was made by the civil authorities to arrest and punish the offender.
40	Unknown man, (colored)...	..do .....		..do.....	..do.....	...do.....	Do.
41	Unknown man, (colored)...	..do .....		..do.....	..do.....	...do.....	Do.
42	Unknown man, (colored)...	..do .....		..do.....	..do.....	...do.....	Do.
43	Unknown man, (colored)...	Campbell, James .....		..do.....	May 18, 1868	...do.....	Campbell is still at large.
44	Nelson, W., (colored).....	Layhew, Cicero .....	Near Murfreesboro	Rutherford .....	Oct. 27, 1867	...do.....	Warrants for the arrest of the murderer were

45	Davis, Edmund, (colored) ..	Langley, John, (colored) ..	do .....	1867 .....	Convicted .....	Issued, but could not be served, as he had fled the country.
46	Lucas, ——— .....	Davidson, Wm .....	do .....	1867 .....	Acquitted .....	Sentenced to 8 years in the penitentiary.
47	Grier, ———, (colored) .....	Unknown .....	Near Murfreesboro' .....	Apr. 4, 1868 .....	No trial .....	This was a wilful murder, and Davidson ought to have been hung.
48	Franklin, Nelson, (colored) ..	Shie, James and Eli, (bro's) ..	Near Saundersville .....	Aug. 20, 1867 .....	Acquitted .....	Found dead, lying across a creek.
49	Marable, John, (colored) ..	Unknown .....	Gallatin .....	Feb. —, 1868 .....	No trial .....	Freed by the civil authorities, and most unjustly acquitted.
50	Newman, ——— .....	Blair, Robert .....	Stewart .....	Aug. —, 1867 .....	Convicted .....	Sentenced to penitentiary for 6 years.
51	Cody, Michael H., jr. ....	Franklin .....	Williamson .....	July 6, 1867 .....	No trial .....	Killed in the riot between blacks and whites.
EAST TENNESSEE.						
1	Casey, Geo. W., (colored) ..	Sively, Geo .....	5th district .....	Hamilton .....	Feb. 21, 1868 .....	Casey died on the 24th Feb. Casey was accused of stealing a hog from the premises of Sively.
2	Rogers, Wm .....	Rogers, Mrs., (wife of murd'd) ..	Chattanooga .....	do .....	Not given .....	Sively is a notorious character. The case will be brought before the grand jury.
3	Tinar, William .....	Tinan, John .....	do .....	do .....	do .....	The murderer fled the country and has not been arrested.
4	Deutch, Adolph .....	Williams, Andy, (colored) ..	do .....	do .....	do .....	Execution has been suspended and case taken to the supreme court on account of an error; prisoner returned to jail.
5	Horn, Daniel, (colored) ..	Unknown .....	Rogersville .....	Hawkins .....	July —, 1867 .....	Sentenced to be hung.
6	York, J. ....	do .....	do .....	do .....	do .....	Killed during riot; no arrest.
7	Soyemere, Wm. O. ....	True, Willis .....	East Tennessee .....	do .....	do .....	Do.
8	White, Talaver .....	Carter, Wm .....	do .....	do .....	do .....	No arrest.
9	Ramsey, Dick, (colored) ..	Simmons, F .....	do .....	do .....	do .....	do.
10	Kinzle, W. ....	Cornell, (sheriff Meigs co.) ..	do .....	do .....	do .....	No bill found by grand jury.
11	Senler, Geo. W., alias Bill Brownlow.	Walker, ——— .....	do .....	do .....	do .....	No trial .....
12	Henry, J. D. ....	Bolivar, Cross S .....	do .....	do .....	do .....	Acquitted .....
13	Unknown, (colored) ..	Unknown .....	Near Knoxville .....	Knox .....	do .....	No trial .....
WEST TENNESSEE.						
1	Wilson, Charles .....	Sherwood, Lotta .....	Shelby .....	July 9, 1867 .....	Bound over .....	do.
2	Heclet, Moses .....	Russer, Fred .....	do .....	July 11, 1867 .....	do .....	do.
3	Hughes, Wm .....	Womble, ——— .....	do .....	July 8, 1867 .....	do .....	do.
4	Woods, Mrs., (wife of D. W.) ..	Woods, David .....	do .....	Aug. 7, 1867 .....	Acquitted .....	Acquitted on examination.
5	Thomas, Jesse, (colored) ..	Holcomb, Saml., (colored) ..	do .....	Aug. 23, 1867 .....	In jail .....	Arrested and committed to jail to await action of grand jury.
6	Dawkins, Daniel .....	Severe, Wm., (colored) ..	do .....	Aug. 24, 1867 .....	No trial .....	do.
7	Dorgan, (colored) ..	Green, Bill, (colored) ..	do .....	do .....	Acquitted .....	Acquitted on examination; no prosecution.
8	Ramsey, Dr. W. B. ....	Unknown .....	do .....	Aug. 28, 1867 .....	No trial .....	do.
9	Unknown, (colored) ..	Bryson, M .....	do .....	Aug. 22, 1867 .....	Acquitted .....	Acquitted on examination; no prosecution.
10	Anderson, Robt., (colored) ..	Wiggins, Windor, (colored) ..	do .....	Aug. 10, 1867 .....	No trial .....	do.
11	Smith, Simpson .....	Henry Looney, Mose Turner, Ed. Williams, and Everett Hardin.	do .....	Sept. 9, 1867 .....	Acquitted .....	Acquitted on examination.
12	Murphy, Jos. S., (M.P. officer)	Owens, James T. ....	do .....	Sept. 26, 1867 .....	do .....	Do.

No.	Names of persons murdered.	Names of murderers.	Where murdered.		Date of murder.	Result of trial.		Remarks.
			Town.	County.		Convicted or acquitted.		
WEST TENNESSEE—Cont'd.								
13	Meriweather, Mrs. ....	Sarah, (colored) .....		Shelby .....	Oct. 5, 1867	No trial .....		
14	Unknown, (colored) .....	Nicholson, H., (colored) .....		do. ....	Oct. 28, 1867	do. ....		
15	Unknown, (colored) .....	Jackson, Andrew .....		do. ....	Oct. 29, 1867	do. ....		
16	Prentiss, Frank .....	Ferguson, Robt., and Howard, Chas. ....		do. ....	Nov. 4, 1867	Acquitted .....		Acquitted on examination.
17	Unknown, (colored) .....	Specht, ——— .....		do. ....		do. ....		Do.
18	Matatesta, James .....	Mane, Angelo .....		do. ....	Nov. 26, 1867	Convicted .....		Sentenced to penitentiary for 3 years; new trial granted.
19	Hinton, Doc., (colored) ....	Renfroe, Dan .....		do. ....	Nov. 5, 1867	No trial .....		
20	Stevens, Ben .....	Shearers, Thos., (colored) .....		do. ....	Dec. 2, 1867	Acquitted .....		Acquitted on examination.
21	Carrigan, Wm .....	Pyline, Mike .....		do. ....	Dec. 9, 1867	do. ....		Do.
22	Branch, Ben .....	Adam, (colored) .....		do. ....	Dec. 16, 1867	do. ....		Acquitted on examination; no prosecution.
23	Unknown .....	Johns, Green, (colored) .....		do. ....	Dec. 18, 1867	do. ....		Do.
24	Steven John .....	Fennage, Jas .....		do. ....	Dec. 24, 1867	No trial .....		
25	Fenton, John, (M. P. officer) ..	Galvin, James .....		do. ....	Dec. 26, 1867	do. ....		Was arrested and committed to jail, from which he escaped.
26	Mott, John .....	Lewis, Stephen, (colored) .....		do. ....	Dec. 27, 1867	do. ....		
27	Connel, Mike .....	Winters, Juo., and Castillo, Thos., (in jail.) ..		do. ....	Jan. 18, 1868	do. ....		Was arrested and committed to jail, from which he escaped.
28	Dashiel, Ed .....	Dashiel, E. H. ....		do. ....	Jan. 29, 1868	Acquitted .....		Acquitted on examination.
29	Cunningham, John .....	Dolan, Pat .....		do. ....	Feb. 13, 1868	do. ....		Do.
30	Gear, John .....	Carter, John, Powers, W. H., and Powers, James. ....		do. ....	Mar. 11, 1868	In jail .....		James Powers acquitted on examination.
31	Newberry, Green, (colored) ..	Hicks, Jas. and Montano A. ....		do. ....	Mar. 23, 1868	Acquitted .....		Acquitted on examination.
32	Paston, Thomas .....	Clinton, (M. P. officer) .....		do. ....	Mar. 15, 1868	No trial .....		
33	Unknown, (colored) .....	Guests, S. M. ....		do. ....	Apr. 1, 1868	do. ....		
34	Henthhausen, H. ....	Butterberger, H. ....		do. ....	Apr. 18, 1868	Acquitted .....		
35	Posten, Miles, (colored) .....	Podesta, L. ....		do. ....	Apr. 24, 1868	No trial .....		
36	Mongun, John .....	Joyce, ——— .....		do. ....	Apr. 22, 1868	do. ....		
37	Kell r, Lewis .....	Smith, Ed .....		do. ....	May 12, 1868	do. ....		
38	Church, Geo. ....	Wright, L., (colored) .....		do. ....	May 10, 1868	do. ....		
39	Cooper, H. ....	Gallagher, Mike .....		do. ....	May 14, 1868	Convicted .....		Sentenced to penitentiary for three years.
40	Mathews, Patrick .....	McPherson, C. G. ....		do. ....	May 7, 1868	No trial .....		
41	Scott, John .....	Upkins, Ed .....		do. ....	May 9, 1868	do. ....		
42	Fears, Geo., (colored) .....	Unknown, (watchman at Dickson's shed.) ..		do. ....	May 28, 1868	do. ....		
43	Malone, Tom .....	Congrove, John .....		do. ....	April —, 1868	Convicted .....		
44	Davis, Frank, (colored) .....	Wright, John .....		do. ....	June —, 1868	No trial .....		Tried and convicted of murder in the first degree.

45	Perry, Capt. S., (M.P. officer)	Moody, Sam., (colored)	do.	June 4, 1868	Convicted	Do.
		Ford, Henderson, (colored)	do.	June 4, 1868	do.	Do.
46	Droyer, Matt.	Jones, Henry, (colored)	do.	June 4, 1868	do.	Do.
		Bedford, J. H., (colored)	do.	June 4, 1868	Acquitted	Turned State's witness and was discharged.
47	Farris, Fred., (colored)	Lanahan, John	do.	June 5, 1868	In jail	
48	Brown, Loyd	Hudnel, James	do.	June 9, 1868	No trial	
49	Hooks, J. J.	Fenner, Gilbert, (colored)	do.	June 10, 1868	In jail	
50	O'Connell, John	Unknown	do.	June 12, 1868	No trial	
51	Ringwald, A. W.	Two unknown men, (col'd)	do.	June 26, 1868	do.	
52	Clark, Joshua	Brown, J. K., (M. P. officer)	do.	June 27, 1868	Acquitted	Acquitted on examination.
53	Wright, —	Unknown	do.	June 29, 1868	No trial	
54	Jones, James, (colored)	Davis, Allen, (colored)	do.	June 2, 1868	do.	
55	Fields, Bill, (colored)	Jefferson, Thomas, (colored)	do.	May 20, 1868	Acquitted	Acquitted on examination; no prosecution.
56	Washburn, Wm. C.	{ Morton, Tom, (colored)	do.	July 10, 1868	No trial	Indictment quashed.
		{ Williams, Jerry, (colored)	do.	July 10, 1868	Convicted	Sentenced to ten years in penitentiary.
57	Worfolk, J. R.	Mitchell, James	Hardeman	Dec. 31, 1867	do.	Sentenced to penitentiary for ten years.
58	Brittan, Benj	Cartwell, R. H.	Madison	Dec. 7, 1867	Bound over	
59	David, Daniel, (colored)	Benton, Daniel	do.	Jan. 7, 1868	do.	
60	Shiley, William	Bryant, Armstead	do.	June 18, 1868	In confinement	Indicted and committed for trial.
61	Paine, Abe, (colored)	Saunmons, H. G.	Haywood	Dec. 6, 1867	Bound over	
		Williams, Sam.	do.	Mar. 15, 1868	No trial	In the night a gang of white men went to Paine's house and, breaking open the door with an axe, rushed in upon him, when Paine fired on them, killing one Evans, a notorious horse thief, whereupon another of the gang (Sam Williams) fired and killed Paine.
62	Evans, Andy	Paine, Abe, (colored)	do.	Mar. 15, 1868	do.	Do.
63	Unknown, (colored)	Unknown	do.	Mar. 10, 1868	do.	The murdered man was one of two freedmen at work at Major Smith's plantation, six miles from Brownsville, who were attacked any shot by a white man on horseback without any provocation whatever, except, as is supposed, that they worked for Major Smith, an ex-federal soldier and a radical.
64	Mayfield, Geo., (colored)	Cook, James	do.	April —, 1868	do.	Fled the country.
65	McElsore, Isaac, (colored)	Unknown	do.	Feb. 18, 1868	do.	
66	Campbell, James	Campbell, Archie	do.	Oct. 7, 1868	Escaped	Indicted and committed to jail, from which he escaped.
67	McClissh, David, (colored)	Griffin, Harvey	do.	Feb. 19, 1868	No trial	Warrant issued but Griffin fled the country.
68	Parker, Bob., (colored)	Parr, R., (colored)	Lauderdale	Jan. 1, 1868	Acquitted	Acquitted on examination.
69	Criner, J. H.	Dickens, —	Henderson	Mar. 7, 1868	No trial	Dickens fled the country.
70	Flake, W. S.	Unknown	Carroll	Sept. 18, 1867	do.	
71	Edwards, Arch	McCray, J. C.	do.	May 16, 1868	do.	Fled the country.
72	Gibson, William	Mathis, H. H.	do.	Mar. 14, 1868	do.	Do.
73	Barnes, James, (colored)	Morgan, Reuben, (colored)	do.	Feb. 21, 1868	In jail	Awaiting trial.
74	Everett, George	Panter, J.	do.	July —, 1867	do.	Do.
75	Mealy, Joseph	Cliff, —	Obion	July —, 1867	do.	Do.
76	Box, —	Speck, —	do.	—, 1867	do.	Do.
77	Hardy, James	Green, John	do.	July —, 1867	No trial; escaped	Arrested, but escaped from the officer.
78	Unknown	Unknown	do.	—, 1867	No trial	Fled the country.
79	Farkington, George	{ Duncan, William, sr	do.	Sept. —, 1867	do.	
		{ Duncan, William, jr	Dyer	Jan. —, 1868	do.	Warrant issued, but no arrest made.
			do.	Jan. —, 1868	do.	Arrested, but rescued by a mob.

## Statement showing the number of persons murdered in the State of Tennessee, &amp;c.—Continued.

No.	Names of persons murdered.	Names of murderers.	Where murdered.		Date of murder.	Result of trial.	Remarks.
			Town.	County.		Convicted or acquitted.	
80	Townsend, Alfred, (colored)	Two unknown men		Dyer	June —, 1868	No trial	
81	Saunders, G. M.	Unknown		do	June —, 1868	do	
82	Chapman, J.	Johnson, John M.		do	Mar. —, 1868	Acquitted	Acquitted on examination.
83	Tweedy, Joseph	Tweedy, Mrs. Joseph		do	July —, 1867	Bound over	
84	Harkruder, J. W.	Unknown		do	Aug. —, 1867	No trial	
85	Harkruder, Mrs. J. W.	do		do	Aug. —, 1867	do	
86	Mitchell, C. T.	Mrs. Greek		Gibson	April 26, 1868	In jail	In jail awaiting trial.
87	Babbitt, Alfred, (colored)	Unknown		do	June 18, 1868	No trial	
88	Brown, William	{ Wheeler, Thomas		do	June 20, 1867	Bound over	Under \$5,000 bond to appear at next term of court.
		{ Wheeler, Meredith		do	June 20, 1867	do	Do.
89	Williams, —	Gregory, —		do	— —, 1867	No trial	Fled the country.
90	Hall, Seth	Farrell, William		do	July —, 1867	do	Do.
91	Retter, James	Walker, Bill		do	Feb. —, 1868	do	
92	Walker, Bill	Retter, James		do	Feb. —, 1868	do	
93	Adams, —	Hopgood, S. W.		do		Acquitted	Acquitted on examination.
94	Lysle, John	Palne, John		do		No trial	Fled the country.
		{ Melline, B. Hughey	Near Collierville	Fayette	Mar. 12, 1868	do	
95	Roberson, Renben, (colored)	{ Owens, Sam	do	do	Mar. 12, 1868	do	
		{ Swift, Charles	do	do	Mar. 12, 1868	do	
		{ Seaborne, Lewis and Harris	do	do	Mar. 12, 1868	do	
96	Unknown	Bruser, —		do	July —, 1867	do	Do.
97	Johnson, Alexander, (col'd)	Unknown, (colored)		do	Nov. 10, 1867	do	Warrant issued, but no arrest made.
98	Johnson, Jake, (colored)	Poindexter, Raleigh		Tipton	Oct. 5, 1867	Bound over	Indicted and bound over for trial before circuit court in the sum of \$2 000.

## RECAPITULATION.

Class of persons murdered, and by whom.	Action taken by the civil authorities.							Total.
	No action.	Acquitted.	Committed to jail.	Convicted.	Escaped from custody.	Bound over for trial.	Fled the country.	
EAST TENNESSEE.								
Whites by whites.....	4						3	7
Whites by blacks.....				1				1
Whites by complexion unknown.....	1							1
Blacks by blacks.....								
Blacks by whites.....	1	1						2
Blacks by complexion unknown.....	2							2
Complexion unknown by whites.....								
Complexion unknown by blacks.....								
Complexion unknown by complexion unknown.....								
Total.....	8	1		1			3	13
MIDDLE TENNESSEE.								
Whites by whites.....	6	1	1	3		4	2	17
Whites by blacks.....								
Whites by complexion unknown.....	5							5
Blacks by blacks.....			1	1				2
Blacks by whites.....	2	5	1				3	11
Blacks by complexion unknown.....	16							16
Complexion unknown by blacks.....								
Complexion unknown by whites.....								
Complexion unknown by complexion unknown.....								
Total.....	29	6	3	4		4	5	51
WESTERN TENNESSEE.								
Whites by whites.....	6	9	4	4	5	7	8	43
Whites by blacks.....	2			1				3
Whites by complexion unknown.....	7							7
Blacks by blacks.....	3	3	2	1				9
Blacks by whites.....	10	3				1	1	15
Blacks by complexion unknown.....	3	1	1					6
Complexion unknown by whites.....	1						1	2
Complexion unknown by blacks.....	4	4	1					9
Complexion unknown by complexion unknown.....	3	1						4
To'al.....	39	21	9	6	5	8	10	98
TOTAL IN THE STATE.								
Whites by whites.....	16	10	5	7	5	11	13	67
Whites by blacks.....	2			2				4
Whites by complexion unknown.....	13							13
Blacks by blacks.....	3	3	3	2				11
Blacks by whites.....	13	9	1			1	4	28
Blacks by complexion unknown.....	21	1	1				1	24
Complexion unknown by whites.....	1		1					2
Complexion unknown by blacks.....	4	4	1					9
Complexion unknown by complexion unknown.....	3	1						4
Grand total.....	76	28	12	11	5	12	18	162

*Recapitulation—Continued.*

Complexion of persons murdered.	Complexion of murderers.			
	Whites.	Colored.	Unknown.	Total.
EAST TENNESSEE.				
Whites.....	7	1	1	9
Colored.....	2		2	4
Unknown.....				
Total.....	9	1	3	13
MIDDLE TENNESSEE.				
Whites.....	17		5	22
Colored.....	11	2	16	29
Unknown.....				
Total.....	28	2	21	51
WEST TENNESSEE.				
Whites.....	43	3	7	53
Colored.....	15	9	6	30
Unknown.....	2	9	4	15
Total.....	60	21	17	98
TOTAL IN THE STATE.				
Whites.....	67	4	13	84
Colored.....	28	11	24	63
Unknown.....	2	9	4	15
Grand total.....	97	24	41	162

\* This number includes 3 whites and 8 colored persons killed in Middle Tennessee by persons in the disguise of the Ku-Klux Klan.

BUREAU OF REFUGEES, FREEDMEN, AND ABANDONED LANDS, STATE OF TENNESSEE.

*Assistant Commissioner's Office, Nashville, Tenn., August 25, 1868.*

I certify that the above statement is correct as taken from the records of this office.

W. P. CARLIN,

*Brevet Major General U. S. A., Assistant Commissioner.*

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# BUREAU REPORTS.

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# ANNUAL REPORT

## OF THE

### ADJUTANT GENERAL OF THE ARMY.

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ADJUTANT GENERAL'S OFFICE,  
*Washington, October 20, 1868.*

SIR: I have the honor to submit herewith the annual returns of the army, (tables A to N,) showing its legal organization; its actual strength, September 30, 1868; its distribution and force in each military department and district; the number of recruits enlisted from September 20, 1867, to October 1, 1868; the number of desertions and apprehensions from September 20, 1867, to October 1, 1868.

An unusually large number of discharges has been granted on individual applications, and these, with ordinary discharges and casualties, are rapidly diminishing the regiments, except cavalry, which are necessarily kept in force because of the operations against Indians on the plains and the Pacific coast.

The strength of the army on the 30th September is reported at 48,081 enlisted men. But from this must be deducted engineer, ordnance and other special service men—4,340—leaving the total strength of regiments 43,741. There will be a further reduction between October 1 and January 1, 1869, of 4,500, on account of discharges from expiration of term of enlistment alone.

The number of desertions from the army in the past year has been nearly 2,700 less than in the year previous; and nearly 1,000 more deserters have been returned to the service. The proportion of losses from this source, considering the increased strength of the army, is therefore considerably diminished.

Recruiting was actively carried on in the principal northern and western cities, for all branches of the service, until November 26, 1867, when orders were issued to reduce all regiments of infantry and artillery, with exception of the ten light batteries, to the minimum of fifty privates per company; and to reduce the recruiting service by breaking up all excepting four rendezvous to each arm—cavalry and infantry.

February 11, 1868, the payment of the premium of two dollars for accepted recruits was discontinued, and April 3, 1868, recruiting for infantry and artillery was suspended, except in the cases of old soldiers desiring to re-enlist.

In order to further decrease the army, instructions were issued July 24, 1868, prohibiting the enlistment or re-enlistment, except as musicians, of any more men for infantry or artillery regiments.

The detachments at recruiting depots have been reduced to the minimum garrisons; and the schools which had been put in successful operation under the direction of Brevet Major General Butterfield, Superintendent General Recruiting Service, for the instruction of intelligent and steady recruits, with a view to fitting them for non-commissioned officers

have been suspended, to reduce the strength and expense of the military establishment.

Rendezvous are still in operation in five of the principal cities solely for the cavalry service. The regiments stationed on the Pacific coast have been partially supplied with recruits enlisted at rendezvous located at favorable points in California, which have been maintained since October, 1867, to save to the government as far as possible the great expense of transporting recruits from the eastern stations.

The strength of the colored regiments at latest reports was nearly up to the authorized standard.

The recommendation made in the last annual report is here again renewed: That all enlistments shall hereafter be for five instead of three years, and for the reasons then given, viz: "It is now five years for cavalry and three for the other arms. Experience of many years has shown that the short term contributes much to a restless desire to leave the service, inducing many men to desert before their time is out, and on the other hand loses to the ranks by discharge a large number just at the moment they have attained the necessary degree of discipline and of instruction to make them efficient soldiers. The consequence is, a great part of the army is constantly composed of recruits. It is evident that cost of transportation and expenses of the recruiting service would be materially diminished by an extension of the term of enlistment."

It is also earnestly recommended that the enlistment of boys over 12 years of age, with consent of their parent or guardian, be authorized by law to supply musicians to the army. At the minimum age now sanctioned by law, a lad is too old to begin the training requisite, especially for a drummer, with any prospect of attaining a useful degree of proficiency. It is only since the war began that the law has prevented music boys from being enlisted by excluding in general terms all under 16 years of age, though it is not believed to have been the intention that such should be its effect.

Many sons of old soldiers were formerly thus provided for, and not only were the most useful class as field musicians, but generally became in after years excellent non-commissioned officers.

To meet a contingency which, with regret be it said, has of late several times arisen, it is recommended that Congress be requested to pass an act authorizing the President to drop from the rolls of the army any officer who may desert, and who cannot be apprehended for trial by court-martial within three months after desertion.

It is recommended that the superintendents of national cemeteries be placed on the footing of enlisted men, in the same way as ordnance sergeants of posts. This can be done by a simple enactment: That the superintendents of national cemeteries, authorized by the act of February 22, 1867, shall be enlisted for the period of five years, unless sooner discharged by proper authority.

#### *Mustering and disbursing for volunteers.*

At the date of the last annual report 203 commissioned officers of the volunteer forces remained in service. Of that number only one—the Commissioner of the Bureau of Refugees, Freedmen and Abandoned Lands—now remains.

At the date of last report the mustering and disbursing offices at Albany, New York, (for New York,) Philadelphia, Pennsylvania, (for Pennsylvania and New Jersey,) and Columbus, Ohio, (for Ohio and West Virginia,) remained open. They have now been closed and the records ordered to this city.

Under sections 1 and 2 of the act for the relief of certain drafted men, approved February 28, 1867, commutation money has been refunded as follows:

Section 1, to 185 men.....	\$55,500
Section 2, to 108 men.....	32,270

The proviso to section 2 of the act, which makes it applicable only to claims received at the War Department prior to its passage, prevents the payment of some just claims, and therefore it is recommended that it be repealed.

It is now more than three and-a-half years since the recruitment of men for the volunteer armies ceased, and most, if not all, legal claims against the fund for "collecting, drilling, and organizing volunteers" have been paid, or are on file undergoing examination and verification with view to payment. Claims, however fraudulently made up to cover alleged expenses, continue to be presented, and they are so skilfully prepared that it is only by great care and labor, on the part of this office, that the fraud is detected. The detection is made the more difficult by the use of official information which came in the possession of some of the parties while in the military service. It is therefore recommended that legislation be had limiting the time within which claims for expenses incurred prior to muster into service may be presented.

No appropriation of money for the volunteer disbursing branch will be required during the next fiscal year.

#### *Colored volunteers.*

The 12 commissioned officers belonging to regiments of colored volunteer troops, and on duty in the Bureau of Refugees, Freedmen and Abandoned Lands, at the date of last report, have all been mustered out of service.

#### *Military prisons.*

In the last annual report from this office allusion was made to a necessity for a better system of reformatory punishments. The increasing importance of the subject seems to justify its presentation in a more extended form. The following plan has received the approbation of the General of the army, and of many officers of experience.

The system of punishments which has been for many years in practice fails to reform men, but tends to degrade them more and more; and by throwing hardened and desperate criminals in close contact with young and thoughtless soldiers, subjects the latter to contamination by precept and example.

The usual punishments are hard labor, with ball and chain, in charge of the guard, and confinement in one common guard-house, without discriminating between men of different characters. While so confined, the men sleep on the floor in guard-houses, which it is impossible to keep clean. They eat without tables or other comfort. Their clothes become shabby and often ragged, and, as their pay is generally stopped, they have no means of renewing them. They perform nothing but menial service, and their confinement in this manner often continues for months at a time. This is a fruitful cause of desertion, to which men having a sense of self respect often resort to escape such contact; and yet there is no alternative with the present want of proper appliances for correction.

Recruits are enlisted without any knowledge of their antecedents. Men guilty of offences against civil law often enter the army to escape

the penalty for their offences. There is no help for this. Criminals are always surrendered to civil authority on proper demand; but many still remain in the army, spreading their evil influence through the ranks, destroying discipline, and provoking commissioned officers to harshness and severity, which is not always tempered by discretion. To discharge these men is no remedy, for they will go to another part of the country and enlist again under other names. Moreover, men of restless tempers will learn to seek their discharge by the same pestilent course of conduct.

But few are ever sent to State prisons, because the law limits confinement in them to those convicted of certain felonies. Desertion, mutinous conduct, and other purely military offences must therefore be expiated in the guard-houses at military posts. Those who are sent to the State prisons pass beyond military control for the time, and it not unfrequently happens that influences are brought to bear in the communities where they are imprisoned to procure their pardon when their cases are wholly without merit.

Military prisons properly managed should, among other advantages, serve all the reformatory purposes of State institutions. They would rid regiments of the plague of vicious and insubordinate men, with their bad influence upon others, and would thus diminish the need and expense of courts-martial; would prevent the discharge of many desperate men in unsettled parts of the country, where they always become outlaws and pests; and would facilitate the recognition of offenders against civil law who have entered the ranks of the army.

But three or four prisons would be necessary—possibly only one. It would be proposed to start one on David's island, or other place in New York harbor, and when that has been tested, to establish another at Ship island, and one on the Pacific coast, and possibly a fourth at some central point on the Mississippi river.

After the first cost of building, it is calculated that hardly any appropriation will be needed to support the prison beyond such parts of the regular army appropriation as the proposed act makes applicable to the purpose.

The companies of discipline connected with this plan are deemed of great importance—almost a necessity. They will rid the companies of men who never do duty, because they prefer to be in the guard-house: who require other men to stand guard over them as prisoners, and also to do their share of duty. If discharged, they generally enlist again; and to give them a discharge is to pay a premium to others to become worthless.

The inconvenience of detailing guards for the prisons would be counterbalanced by the greater efficiency which the use of them would impart to the regiments, and doubtless there would be actually more men fit for duty when the guard-houses are thinned out through their means.

#### PROPOSED LAW.

##### *Military prisons—companies of discipline.*

*Be it enacted, &c.,* That for the proper restraint and correction of soldiers under sentence by military courts, the President shall have power to establish not exceeding five military prisons in proper localities, selected with a view to facility of access and convenience in guarding and keeping convicts, and to make all necessary regulations therefor.

*SEC. 2. And be it further enacted,* That the General of the army shall detail prison commandants and guards, whose duty it shall be to carefully keep all military and naval convicts duly sentenced to confinement

in a military prison, and to carry out the regulations which shall from time to time be adopted for execution of sentences and discipline and reform of prisoners.

SEC. 3. *And be it further enacted*, That so much of the pay of every convict as may be stopped by sentence of a court-martial during the period of his confinement in a military prison, shall be, and is hereby appropriated, towards the maintenance of the prison, and all acts and parts of acts inconsistent with this section are hereby declared repealed.

SEC. 4. *And be it further enacted*, That each convict shall be allowed such uniform fatigue clothing, and rations, of the kind issued to the troops, as the Secretary of War may prescribe.

SEC. 5. *And be it further enacted*, That the President may appoint a chaplain for each military prison, who shall have the pay and emoluments of a post chaplain of the army.

SEC. 6. *And be it further enacted*, That for the discipline of refractory prisoners, the prison commandant shall, as often as necessary, assemble a court, to consist of from one to three of the officers under his command, who shall have power, with the approval of the commandant, to award sentences within the limits allowed by the Rules and Articles of War to garrison courts-martial; and such punishments may consist of standing or sitting in the stocks, or solitary confinement, with deprivation of part of the ration, or with deprivation of tobacco, at the discretion of the court.

SEC. 7. *And be it further enacted*, That capital offences which may be tried by a general court-martial under the ——— of the Rules and Articles of War, shall be tried and punished in like manner when committed by convicts confined in a military prison.

SEC. 8. *And be it further enacted*, That each convict when discharged from the prison shall receive ten dollars to provide for his immediate wants, and shall be furnished with a certificate of discharge.

SEC. 9. *And be it further enacted*, That the proceeds of the labor of the convicts shall be appropriated towards the maintenance of the prison, the erection of buildings, and such other purposes in connection with the prisons and convicts as the Secretary of War shall prescribe; and any part of the surplus funds which may accrue at one military prison may be transferred for the support of another military prison by authority of the Secretary of War: *Provided, however*, That to encourage convicts to industry and good behavior, the commandant may offer to apply any surplus over and above his own personal support, which any convict may earn, to the present support of the family of such convict, if he have one, or to his personal benefit when discharged, so long as his conduct shall continue good; and may accordingly pay such surplus over at stated times to the family, or retain and pay it to the convict himself whenever he shall be discharged from the prison.

SEC. 10. *And be it further enacted*, That on the application of the Secretary of the Navy, in any case, the Secretary of War may direct naval convicts to be received at any military prisons for execution of their sentence, conformably to the laws and regulations established for military convicts.

SEC. 11. *And be it further enacted*, That whenever a court-martial shall find that any soldier is incorrigible or worthless to the service, notwithstanding he may not have committed any grave offence subjecting him to trial under a specific charge, the department commander may transfer such worthless soldier to a "company of discipline;" and no soldier, while a member of a company of discipline, shall, under any circumstances whatever, be discharged from the service before the expiration of his term of enlistment.

A.—*Organization of the regular army of the United States.*

[illegible]

(n) Section 13 of the act of July 28, 1866, provides that, as vacancies occur in the grades of major and captain in the quartermaster's department, no appointment to fill the same shall be made until the number of majors shall be reduced to twelve, and the number of captains to thirty, and thereafter the number of officers in each of said grades shall continue to conform to said reduced numbers.

One of the assistant quartermasters and one of the majors in the Bureau of Military Justice, being also commissioned officers in regiments in the strength of which they are included, are, to avoid counting them twice, excluded as staff officers from the columns, "total commissioned" and "aggregate" of their departments. The regimental and staff commissions held by these officers are of unequal grades; and hence they are not affected by the provisions of the 7th section of the act of June 18, 1846.

(b) By section 9 of the act of March 3, 1853, a lieutenant of engineers and ordnance, having served fourteen years continuously as lieutenant, is entitled to promotion to the rank of captain; but such promotion is not to increase the whole number of officers in either of said corps.

(c) The six aides-de-camp (colonels) to the general; the two (lieutenant colonels) to the lieutenant general; the fifteen (captains or lieutenants) to the major generals; and the twenty (lieutenants) to the brigadier generals; making in all, forty-three aides-de-camp, and also the military secretary (lieutenant colonel) to the lieutenant general, being taken from the corps or regiments, in the strength of which they are included, are, to avoid counting them twice, excluded as aides and military secretary from the columns "total commissioned" and "aggregate."

(d) The adjutant and quartermaster allowed to the battalion of engineers, not being supernumerary officers, but being included in the strength of the corps to which they belong, are, to avoid counting them twice, excluded as battalion staff officers from the columns "total commissioned" and "aggregate" of their department.

(c) Assistant surgeons have the rank, pay, and emoluments of lieutenants of cavalry for the first three years of service, and are entitled to promotion to, and to receive the pay and emoluments of, the grade of captain after three years of service. Surgeons and assistant surgeons of volunteers who have served three years as such prior to appointment in the regular army, are included in the benefits of this provision, being eligible for promotion to the grade of captain immediately upon their appointment in the regular army.—*Sec. 17, act July 28, 1866; sec. 5, act March 2, 1867.*

(f) Under the 4th section of the act of April 29, 1812, "making further provision for the corps of engineers" and the 17th section of the act of March 3, 1817, for promoting distinguished non-commissioned officers, ~~the~~ brevet second lieutenant is allowed to every "company." The number authorized is, consequently, six hundred and thirty-five.

(g) The chaplains of the colored regiments (six,) authorized by the act of July 28, 1866, and the post chaplain (thirty,) authorized by the act of March 2, 1849, rank as captains of infantry.—Section 7, act March 2, 1867.

(h) The ordnance storekeeper and paymaster at the national armory at Springfield has the rank, pay, and emoluments of major of cavalry, and all other storekeepers have the rank, pay, and emoluments of captain of cavalry.—Section 7, act March 2, 1867.

(2) One additional veterinary surgeon is allowed to each of the four new regiments of cavalry authorized by the act of July 28, 1866, whose compensation shall be one hundred dollars per month. Being civilians, these additional veterinary surgeons are excluded from the columns "total enlisted" and "aggregate."

(k) The Secretary of War is authorized to appoint as many hospital stewards as the service may require. One hospital steward is also allowed to each military post. The total number of hospital stewards now in service is four hundred and seventy-one.—*Section 1, act April 16, 1862; section 17, act July 28, 1866.*

(D) The number of ordnance sergeants is limited to the number of military posts. There are now in service one hundred and nineteen.—Section 2, act April 5, 1863; section 21, act July 28, 1863

(u) In the table the minimum organization of the regiments is given, viz: fifty privates to each company of cavalry, fifty companies of artillery, (not mounted), with two first and one second lieutenant, four sergeants, eight corporals, and sixty-four privates; and ten companies, (mounted), with two first and two second lieutenants, six sergeants, twelve corporals, and one hundred and twenty-five privates to a company, and fifty privates to each company of infantry. If all the minimum organization is increased to the maximum, cavalry 78 privates and infantry 100 privates, the total number of privates in the cavalry regiments would be 9,500, and in the infantry 45,000. If, in addition to this, the artillery regiments were increased to the full complement allowed by law, the "total commissioned" would be 3,634, the "total enlisted" 77,798, and the "aggregate" 80,832.

Indian counts to the number of 1,000 may be employed in the territories and Indian country, who shall receive the pay and allowances of cavalry soldiers. There are now in service 412.—*Section 6, act July 28, 1866.*

E. D. TOWNSEND,  
*Assistant Adjutant General.*

ADJUTANT GENERAL'S OFFICE,  
Washington, D. C., October 20, 1898.



B.—General return or exhibit of the actual strength of the army of the United States, according to the latest returns received at the Adjutant General's office, 1868.

[illegible]

\* The forty-three aides-de-camp, the military secretary to the Lieutenant General, one of the majors in the Bureau of Military Justice, and one assistant quartermaster, being taken from corps or regiments in the strength of which they are included, are, to avoid counting them twice, excluded from the column "total commissioned."

ADJUTANT GENERAL'S OFFICE, *Washington, D. C., October 20, 1868.*

E. D. TOWNSEND, *Assistant Adjutant General.*

SEC. 12. *And be it further enacted*, That every soldier who shall be discharged from a company of discipline shall forfeit all pay, bounty, and allowances, except ten dollars to be paid him at time of discharge; shall receive a dishonorable discharge at expiration of his term of enlistment; shall be deprived of the benefits of the Soldiers' Home, and of the privilege of re-enlisting in the army.

Copies of several orders from military department commanders, commending the gallantry of officers and men of their commands in affairs with the Indians, since the last annual report, are herewith submitted.

The officers of the Adjutant General's department are stationed as follows:

One brigadier general, on special duty under orders of the Secretary of War.

One colonel, in charge of the Adjutant General's department.

One colonel, two lieutenant colonels, eight majors, at headquarters of military divisions and departments.

One lieutenant colonel and three majors, on duty in the Adjutant General's office.

One lieutenant colonel and one major on special duty.

One major in the office of the General of the army.

Respectfully submitted:

E. D. TOWNSEND,  
*Assistant Adjutant General.*

Hon. J. M. SCHOFIELD,  
*Secretary of War.*



*C.—Position and distribution of the troops in the military division of the Missouri, commanded  
souri, taken from the latest returns on*

Posts.	Situation.	Commanding officers.
Military division of the Departm't of the Missouri Fort Leavenworth, Ks.	Missouri, including the departments of the Missouri, commanded by Maj. Gen. P. H. Sheridan, U. S. On the Missouri river, three miles above Leavenworth city.	uri, Dakota, and the Platte..... A., (headq'rs Ft. Leavenworth, Ks.) Bvt. Maj. Gen. Alfred Gibbs, maj. 7th cavalry.
Fort Riley, Kansas....	On the east bank of the Pawnee river.....	Bvt. Lieut. Col. T. C. English, major 5th infantry. Capt. Samuel L. Barr, 5th inf ....
Camp Davidson, Ks....	Near the mouth of the Little Arkansas river, one mile from Wichita City.	Capt. Martin Mullins, 5th inf ....
Camp on Cottonwood creek, Kansas.	On Cottonwood creek .....	
Fort Dodge, Kansas....	On the north bank of the Arkansas river, on the Santa Fé trail.	Major Henry Douglass, 3d inf ....
Fort Harker, Kansas..	On the Smoky Hill river, 35 miles west of Saline.	Bvt. Lieut. Col. F. M. Benteen, captain 7th cavalry.
Fort Hays, Kansas....	On Big creek, 70 miles west of Fort Harker ....	Major John E. Yerd, 10th cavalry.
Fort Larned, Kansas..	On Pawnee Fork, near the Arkansas river .....	Bvt. Maj. Henry Asbury, captain 3d infantry.
Fort Wallace, Kansas.	Opposite the mouth of Rose creek .....	Bvt. Col. H. C. Bankhead, cap- tain 5th infantry.
Fort Zara, Kansas ....	On Walnut creek, two miles from the Arkansas river.	1st Lieut. Aug. Kaiser, 3d infantry.
Fort Lyon, C. T. ....	On Purgatory river, near Bent's fort .....	Bvt. Brig. Gen. W. H. Penrose, captain 3d infantry.
Fort Reynolds, C. T. ..	Near Pueblo, C. T. ....	Bvt. Lieut. Col. John G. Tilford, major 7th cavalry.
Fort Garland, Kansas. Santa Fé, New Mexico	On the west bank of Utah creek.....	Major H. B. Fleming, 37th inf ....
Fort Union, N. M. ....	On the Moro river, 102 miles NE. of Santa Fé..	Bvt. Maj. Gen. George W. Getty, colonel 37th infantry.
Fort Craig, N. M. ....	On the west bank of the Rio Grande, eight miles below Fort Conrad.	Bvt. Brig. Gen. W. N. Grier, colo- nel 3d cavalry.
Fort Sumner, N. M. ...	On the left bank of the Pecos river.....	Bvt. Lieut. Col. H. C. Corbin, cap- tain 38th infantry.
Fort Selden, N. M. ....	At the foot of the Jornada del Muerto mountain.	Capt. Ezra P. Ewers, 37th inf ....
Fort Stanton, N. M. ...	On the Bonita river, 20 miles east of the White mountains.	Bvt. Lieut. Col. Edw. Bloodgood, captain 38th infantry.
Fort Bascom, N. M. ....	On the right bank of the Canadian river .....	Bvt. Brig. Gen. John R. Brooke, lieutenant colonel 27th infantry.
Fort Bayard, N. M. ....	At Pinos Altos.....	Bvt. Maj. Louis T. Morris, cap- tain 37th infantry.
Fort Wingate, N. M. ...	Twenty-one miles southwest of Mount Taylor..	Bvt. Col. H. C. Merriam, major 38th infantry.
Fort Lowell, N. M. ....	On the Chama river .....	Bvt. Lieut. Col. V. K. Hart, cap- tain 37th infantry.
Fort Cummings, N. M.	At Cook's springs, 60 miles west of Mesilla ....	Bvt. Lieut. Col. Edward Moale, captain 37th infantry.
Fort McRae, N. M. ....	At the Ojo del Muerto, 35 miles south of Fort Craig.	Bvt. Maj. Alex. Moore, captain 38th infantry.
Fort Gibson, C. N. ....	Three miles above the mouth of the Neosho river	Bvt. Lieut. Col. J. C. Gilmore, captain 38th infantry.
Fort Arbuckle, C. N. ...	Four miles south of the Washita river.....	Bvt. Maj. M. Bryant, captain 6th infantry.
En route in department		Major James P. Roy, 6th infantry.
Do.....		Major J. H. Elliott, 7th cavalry...
Do.....		Major M. H. Kidd, 10th cavalry...
Do.....		Bvt. Maj. W. M. Beebe, jr., cap- tain 38th infantry.
Do.....		Bvt. Brig. Gen. Thomas Duncan, lieutenant colonel 5th cavalry.
Total department of the Missouri .....		



## C.—Position and distribution of the troops in the

Posts.	Situation.	Commanding officers.
Department of Dakota, Fort Snelling, Minn....	commanded by Brevet Maj. Gen. A. H. Terry, About five miles below St. Paul.....	(headquarters St. Paul, Minn.) .... Bvt. Brig. Gen. E. B. Alexander, colonel 10th infantry.
Fort Ripley, Minn....	Near the mouth of the little Nokay river .....	Captain T. H. French, 10th inf...
Ft. Abercrombie, D. T.	On the Red River of the North, two miles below Graham's Point.	Bvt. Brig. Gen. W. H. Sidell, lieut- enant colonel 10th infantry.
Fort Wadsworth, D. T.	On Kettle lake, 80 miles southeast of Fort Aber- crombie.	Bvt. Maj. J. A. P. Hampson, cap- tain 10th infantry.
Fort Ransom, D. T....	On Cheyenne river, 65 miles west of Fort Aber- crombie.	Bvt. Lieut. Col. Robert H. Hall, captain 10th infantry.
Fort Dakota, D. T....	At Sioux falls, 90 miles northwest of Sioux City, Iowa.	Bvt. Lieut. Col. Wm. A. Olmstead, 1st lieutenant 22d infantry.
Fort Randall, D. T....	On the Missouri river, 146 miles above Sioux City, Iowa.	Bvt. Col. Alex. Chambers, major 22d infantry.
Fort Sully, D. T.....	Twenty miles below the mouth of Cheyenne river.	Bvt. Maj. Gen. David S. Stanley, colonel 22d infantry.
Fort Rice, D. T.....	Ten miles above the mouth of Cannonball river.	Bvt. Col. E. S. Otis, lieutenant colonel 22d infantry.
Fort Stevenson, D. T.	Twelve miles below the trading post of Fort Berthold.	Bvt. Brig. Gen. P. R. De Trobri- and, colonel 31st infantry.
Fort Buford, D. T....	Near the mouth of the Yellowstone river .....	Bvt. Maj. O. J. Dickey, captain 31st infantry.
Fort Totten, D. T....	On Devil's lake .....	Bvt. Col. J. N. G. Whistler, major 31st infantry.
Fort Shaw, M. T.....	On Sun river, 82 miles north of Helena .....	Bvt. Col. Geo. L. Andrews, lieut- enant colonel 13th infantry.
Camp Cook, M. T....	On Missouri river, near the mouth of Judith river.	Major Wm. Clinton, 13th infantry.
Fort Ellis, M. T.....	At the opening of Boreman's pass.....	Capt. R. S. La Motte, 13th inf....
Total department of Dakota .....		
Department of the Platte, Fort Kearney, Neb....	commanded by Bvt. Maj. Gen. C. C. Augur, Col. On the south side of the Platte river, opposite Grand island.	12th inf., (head'rs Omaha, Neb.).. Bvt. Col. D. R. Ransom, captain 3d artillery.
Fort McPherson, Neb.	At Cottonwood Springs, 95 miles west of Fort Kearney.	Major George W. Howland, 2d cavalry.
Fort Sedgwick, C. T....	Opposite the mouth of Lodge Pole creek .....	Col. H. B. Carrington, 18th inf...
Fort Laramie, D. T....	On the Laramie river, two miles above its junction with the Platte.	Bvt. Brig. Gen. A. J. Slemmer, lieutenant colonel 4th infantry.
Ft. D. A. Russell, D. T.	Forty-three miles from Laporte .....	Bvt. Brig. Gen. H. W. Wessels, lieutenant colonel 18th infantry.
Fort Sanders, D. T....	One hundred and three miles NW. of Denver...	Bvt. Brig. Gen. J. H. Potter, lieut- enant colonel 30th infantry.
Fort Fred. Steele, D. T.	Near the railroad crossing of the North Platte river.	Bvt. Brig. Gen. J. D. Stevenson, colonel 30th infantry.
Fort Fetterman, D. T.	Near the mouth of La Prele creek .....	Bvt. Col. Wm. McE. Dye, major 4th infantry.
Fort Bridger, U. T....	One hundred miles east of Salt Lake City.....	Bvt. Col. H. A. Morrow, lieuten- ant colonel 36th infantry.
Camp Douglas, U. T....	Three miles east of Salt Lake City.....	Bvt. Lieut. Col. W. H. Lewis, major 36th infantry.
En route in department .....		Bvt. Lieut. Col. J. H. Knight, captain 36th infantry.
Near Fort D. A. Rus- sell, D. T.		Bvt. Brig. Gen. L. P. Bradley, lieutenant colonel 27th infantry.
Total department of the Platte .....		
Total military division of the Missouri.....		

military division of the Missouri, &amp;c.—Continued.

Garrisons.		Present.																									
Number.	Regiments.	General officers.	Aide-de-camp to general officers.	Adjutant General's department.	Inspectors general.	Bureau of Military Justice.	Quartermasters' department.	Subsistence department.	Medical department.	Pay department.	Corps of engineers.	Ordnance department.	Post chaplains.	Military storekeepers.	Retired.	Colonels.	Lieutenant colonels.	Majors.	Regimental chaplains.	Captains.	Regimental adjutants.	Regimental quartermasters.	Regimental commissaries.	Reg'l quartermasters and commissaries.	Subalterns.		
1	Department staff . . . . .	1	3	1			1	1	1	4							1				1	1	1			1	
1	10th infantry . . . . .																									1	
3	10th infantry . . . . .								1								1			2						3	
3	10th infantry . . . . .												1							2						4	
	10th infantry . . . . .								1											2						3	
1	22d infantry . . . . .																									1	
	22d infantry . . . . .																	1		2						4	
3	22d Infantry and headquarters . . . . .								1			1				1			3	1						4	
4	22d Infantry . . . . .																1		1							5	
3	31st infantry and headquarters . . . . .								2								1			1	1	1				2	
4	31st infantry . . . . .							1											2							3	
	31st infantry . . . . .							1										1		3						4	
4	13th infantry and headquarters . . . . .					1		1									1				1					4	
3	13th infantry . . . . .							1										1		1						2	
3	13th infantry . . . . .																		3							5	
40	.....	1	3	1			2	1	10	1			2			3	3	3		23	3	3				46	
1	Department staff . . . . .		2	1			1	1	1	1						1										3	
6	2d cavalry and headquarters, 18th infantry . . . . .							1				1						1		4	1					6	
5	2d cavalry, 18th infantry and headquarters . . . . .							1									1			3	1					5	
7	2d cavalry, 4th infantry, and headquarters . . . . .							1										1		7	1					3	
7	2d cavalry, 18th infantry . . . . .							3				1					1			1							
5	2d cavalry, 30th infantry, 36th infantry, and headquarters . . . . .							1									1	1	1		2	1	1			7	
8	2d cavalry, 30th infantry and headquarters . . . . .																	1		3	1	1				7	
5	2d cavalry, 4th infantry . . . . .							1											1		2					7	
5	36th infantry . . . . .						1	1										1		3						5	
	36th infantry . . . . .						1						1						1		2					6	
1	36th infantry . . . . .																			1						2	
10	27th infantry and headquarters . . . . .														1	1	1			8	1	1				12	
63	.....		2	1			3	1	1		1		3			5	5	4		37	6	3				69	
191	.....	3	8	4	1		15	6	40	5	2	11				11	12	18	2	118	16	16				233	

## C.—Position and distribution of the troops in the

Posts.	Situation.	Commanding officers.
Military division of the Department of the Missouri	Missouri, including the departments of the Missouri, commanded by Maj. Gen. P. H. Sheridan, U. S.	url, Dakota, and the Platte .....
Fort Leavenworth, Ks.	On the Missouri river, three miles above Leavenworth city.	A., (headq'rs Ft. Leavenworth, Ks.)
Fort Riley, Kansas....	On the east bank of the Pawnee river.....	Bvt. Maj. Gen. Alfred Gibbs, major 7th cavalry.
Camp Davidson, Ks...	Near the mouth of the Little Arkansas river, one mile from Wichita city.	Bvt. Lieut. Col. T. C. English, major 5th infantry.
Camp on Cottonwood creek, Kansas.	On Cottonwood creek .....	Capt. Samuel L. Barr, 5th inf.....
Fort Dodge, Kansas ..	On the north bank of the Arkansas river, on the Santa Fé trail.	Capt. Martin Mullins, 5th inf.....
Fort Harker, Kansas..	On the Smoky Hill river, 35 miles west of Saline.	Major Henry Douglass, 3d inf....
Fort Hays, Kansas'....	On Big creek, 70 miles west of Fort Harker....	Bvt. Lieut. Col. F. M. Benteen, captain 7th cavalry.
Fort Larned, Kansas..	On Pawnee Fork, near the Arkansas river .....	Major John E. Yard, 10th cavalry..
Fort Wallace, Kansas.	Opposite the mouth of Rose creek .....	Bvt. Maj. Henry Asbury, captain 3d infantry.
Fort Zara, Kansas ....	On Walnut creek, two miles from the Arkansas river.	Bvt. Col. H. C. Bankhead, captain 5th infantry.
Fort Lyon, C. T.....	On Purgatory river, near Bent's fort .....	1st Lieut. Aug. Kalser, 3d infantry.
Fort Reynolds, C. T..	Near Pueblo, C. T .....	Bvt. Brig. Gen. W. H. Penrose, captain 3d infantry.
Fort Garland, Kansas.	On the west bank of Utah creek.....	Bvt. Lieut. Col. John G. Tilford, major 7th cavalry.
Santa Fé, New Mexico.	.....	Major H. B. Fleming, 37th inf....
Fort Union, N. M.....	On the Moro river, 102 miles NE. of Santa Fé..	Bvt. Maj. Gen. George W. Getty, colonel 37th infantry.
Fort Craig, N. M.....	On the west bank of the Rio Grand, eight miles below Fort Conrad.	Bvt. Brig. Gen. W. N. Grier, colonel 3d cavalry.
Fort Sumner, N. M....	On the left bank of the Pecos river .....	Bvt. Lieut. Col. H. C. Corbin, captain 38th infantry.
Fort Selden, N. M....	At the foot of the Jornada del Muerto mountain.	Capt. Ezra P. Ewers, 37th inf.....
Fort Stanton, N. M....	On the Bonita river, 20 miles east of the White moun ains.	Bvt. Lieut. Col. Edw. Bloodgood, captain 38th infantry.
Fort Bascom, N. M....	On the right bank of the Canadian river.....	Bvt. Brig. Gen. John R. Brooke, lieutenant colonel 27th infantry.
Fort Bayard, N. M....	At Pinos Altos.....	Bvt. Maj. Louis T. Morris, captain 37th infantry.
Fort Wingate, N. M...	Twenty-one miles southwest of Mount Taylor..	Bvt. Col. H. C. Merriam, major 38th infantry.
Fort Lowell, N. M....	On the Chama river .....	Bvt. Lieut. Col. V. K. Hart, captain 37th infantry.
Fort Cummings, N. M.	At Cook's Springs, 60 miles west of Messilla....	Bvt. Lieut. Col. Edward Moale, captain 37th infantry.
Fort McRae, N. M....	At the Ojo del Muerto, 35 miles south of Fort Craig.	Bvt. Maj. Alex. Moore, captain, 38th infantry.
Fort Gibson, C. N....	Three miles above the mouth of the Neosho river.	Bvt. Lieut. Col. J. C. Gilmore, captain 38th infantry.
Fort Arbuckle, C. N..	Four miles south of the Washita river.....	Bvt. Maj. M. Bryant, captain 6th infantry.
En route in department	.....	Major James P. Roy, 6th infantry..
Do.....	.....	Major J. H. Elliott, 7th cavalry...
Do.....	.....	Major M. H. Kidd, 10th cavalry...
Do.....	.....	Bvt. Maj. W. M. Beebe, jr., captain 38th infantry.
Do.....	.....	Bvt. Brig. Gen. Thomas Duncan, lieutenant colonel 5th cavalry.
Total department	of the Missouri.....	.....

*military division of the Missouri, &c.—Continued.*

Garrisons.		Present.			Absent.			Present and absent.						
Number of companies.	Regiments.	Enlisted men.	Total commissioned.	Aggregate.	General and staff officers. Regimental, field, and staff officers. Captains. Subalterns.			Enlisted men.	Total commissioned.	Aggregate.	Total commissioned.	Enlisted men.	Aggregate.	
...	Staff of military division .....	...	8	8	...	...	...	...	...	...	8	...	8	
...	Department staff .....	...	8	8	...	...	...	...	...	...	8	...	8	
2	7th cavalry and headquarters, 4th artillery and 3d infantry.	178	8	186	1	5	1	1	8	8	16	16	186	202
2	5th infantry and headquarters .....	75	2	77	2	2	3		80	7	87	13	143	156
2	7th cavalry and 5th infantry .....	63	6	69	...	1	3		64	4	68	6	139	145
1	5th infantry .....	60	3	63	...	...	...		7	...	7	3	67	70
4	7th cavalry and 3d infantry .....	240	11	251	1	...	1	1	48	3	51	14	288	302
4	7th cavalry, headq'rs 3d infantry, 38th infantry.	249	12	261	...	2	2	2	79	6	85	18	328	346
2	5th infantry and 38th infantry .....	111	8	119	...	...	2		49	2	51	10	160	170
3	10th cavalry, 3d infantry .....	221	6	227	...	1	3		15	4	19	10	236	240
4	5th infantry, 38th infantry .....	169	12	181	...	1	1		117	2	119	14	286	300
1	3d infantry .....	71	2	73	...	1	...		4	1	5	3	75	78
4	7th cavalry, 3d infantry, 5th infantry ...	235	11	246	...	2	2		29	4	33	15	264	279
1	5th infantry .....	72	4	76	...	1	...		3	1	4	5	75	80
2	37th infantry .....	155	7	162	...	2	...		20	2	22	9	175	184
...	Headquarters 37th infantry .....	4	10	14	...	...	...		...	...	...	10	4	14
5	3d cavalry and headquarters 37th infantry.	321	11	332	...	3	3	3	121	9	130	20	442	462
2	3d cavalry, 38th infantry headq'rs .....	154	9	163	...	2	...		16	2	18	11	170	181
2	3d cavalry, 38th infantry .....	179	5	184	...	1	2		27	3	30	8	206	214
2	3d cavalry, 38th infantry .....	153	5	158	...	...	1		28	1	29	6	181	187
3	3d cavalry, 37th infantry .....	187	7	194	...	...	3		92	3	95	10	279	289
2	3d cavalry, 37th infantry .....	172	6	178	...	...	...		19	...	19	6	191	197
3	3d cavalry, 38th infantry .....	269	10	279	...	...	1		15	1	16	11	284	295
4	3d cavalry, 37th infantry .....	286	6	292	...	1	2	3	86	6	92	12	372	384
1	37th infantry .....	77	2	79	...	...	1		10	1	11	3	87	90
1	38th infantry .....	106	3	109	...	...	...		...	...	...	3	106	109
1	38th infantry .....	91	2	93	...	...	1		12	1	13	3	103	106
2	Headquarters 10th cavalry, 6th infantry.	163	10	173	...	4	1	1	7	6	13	16	170	186
6	10th cavalry, 6th inf., and headq'rs .....	504	16	520	...	3	2	...	15	5	20	21	519	540
7	7th cavalry .....	413	17	430	...	...	2	3	97	5	102	22	510	532
4	10th cavalry .....	521	19	540	...	...	1		73	1	74	20	594	614
1	38th infantry .....	92	2	94	...	...	1		9	1	10	3	101	104
7	5th cavalry .....	472	11	483	...	3	6		78	9	87	20	550	570
88	.....	6, 063	251	6, 314	2	22	30	44	1, 228	98	1, 326	349	7, 291	7, 640

*C.—Position and distribution of the troops in the*

Posts.	Situation.	Commanding officers.
Department of Dakota, Fort Snelling, Minn...	commanded by Brevet Maj. Gen. A. H. Terry, About five miles below St. Paul.....	(headquarters St. Paul, Minn.).... Bvt. Brig. Gen. E. B. Alexander, colonel 10th infantry.
Fort Ripley, Minn....	Near the mouth of the Little Nokay river.....	Captain T. H. French, 10th inf...
Ft. Abercrombie, D. T.	On the Red River of the North, two miles below Graham's Point.	Bvt. Brig. Gen. W. H. Sidell, lieu- tenant colonel 10th infantry.
Fort Wadsworth, D. T.	On Kettle lake, 80 miles southeast of Fort Aber- crombie.	Bvt. Maj. J. A. P. Hampson, cap- tain 10th infantry.
Fort Ransom, D. T....	On Cheyenne river, 65 miles west of Fort Aber- crombie.	Bvt. Lieut. Col. Robert H. Hall, captain 10th infantry.
Fort Dakota, D. T....	At Sioux falls, 90 miles northwest of Sioux City, Iowa.	Bvt. Lieut. Col. Wm. A. Olmstead, 1st lieutenant 22d infantry.
Fort Randall, D. T....	On the Missouri river, 146 miles above Sioux City, Iowa.	Bvt. Col. Alex. Chambers, major 22d infantry.
Fort Sully, D. T.....	Twenty miles below the mouth of Cheyenne river.	Bvt. Maj. Gen. David S. Stanley, colonel 22d infantry.
Fort Rice, D. T.....	Ten miles above the mouth of Cannonball river..	Bvt. Col. E. S. Otis, lieutenant colonel 22d infantry.
Fort Stevenson, D. T.	Twelve miles below the trading post of Fort Berthold.	Bvt. Brig. Gen. P. R. De Trobri- and, colonel 31st infantry.
Fort Buford, D. T....	Near the mouth of the Yellowstone river.....	Bvt. Maj. C. J. Dickey, captain 31st infantry.
Fort Totten, D. T....	On Devil's lake.....	Bvt. Col. J. N. G. Whistler, major 31st infantry.
Fort Shaw, M. T.....	On Sun river, 82 miles north of Helena.....	Bvt. Col. Geo. L. Andrews, lieu- tenant colonel 13th infantry.
Camp Cook, M. T....	On Missouri river, near the mouth of Judith river.	Major Wm. Clinton, 13th infantry.
For. Ellis, M. T.....	At the opening of Boreman's pass.....	Capt. R. S. La Motte, 13th inf....
Total department of Dakota.....		
Department of the Platte, Fort Kearney, Neb....	te, commanded by Bvt. Maj. Gen. C. C. Augur, Col. On the south side of the Platte river, opposite Grand Island.	12th inf. (headq'rs Omaha, Neb.).. Bvt. Col. D. R. Ransom, captain 3d artillery.
Fort McPherson, Neb	At Cottonwood Springs, 95 miles west of Fort Kearney.	Major George W. Howland, 2d cavalry.
Fort Sedgwick, C. T..	Opposite the mouth of Lodge Pole creek.....	Col. H. B. Carrington, 18th inf...
Fort Laramie, D. T....	On the Laramie river, two miles above its junc- tion with the Platte.	Bvt. Brig. Gen. A. J. Slemmer, lieutenant colonel 4th infantry.
Ft. D. A. Russell, D. T.	Forty-three miles from Laporte.....	Bvt. Brig. Gen. H. W. Wessels, lieutenant colonel 18th infantry.
Fort Sanders, D. T....	One hundred and three miles NW. of Denver...	Bvt. Brig. Gen. J. H. Potter, lieu- tenant colonel 30th infantry.
Fort Fred. Steele, D. T.	Near the railroad crossing of the North Platte river.	Bvt. Brig. Gen. J. D. Stevenson, colonel 30th infantry.
Fort Fetterman, D. T.	Near the mouth of La Prele creek.....	Bvt. Col. Wm. McE. Dye, major 4th infantry.
Fort Bridger, U. T....	One hundred miles east of Salt Lake city.....	Bvt. Col. H. A. Morrow, lieu- tenant colonel 36th infantry.
Camp Douglas, U. T..	Three miles east of Salt Lake city.....	Bvt. Lieut. Col. W. H. Lewis, major 36th infantry.
En route in department		Bvt. Lieut. Col. J. H. Knight, captain 36th infantry.
Near Fort D. A. Rus- sell, D. T.		Bvt. Brig. Gen. L. P. Bradley, lieutenant colonel 27th infantry.
Total department of the Platte.....		
Total military division of the Missouri.....		

military division of the Missouri, &amp;c.—Continued.

Number of companies.	Garrisons.	Present.			Absent.			Present and absent.		
		Enlisted men.	Total commissioned.	Aggregate.	General and staff officers. Regimental, field, and staff officers. Captains.	Subalterns.	Enlisted men.	Total commissioned.	Aggregate.	Commissioned officers.
	Regiments.									
1	Department staff .....	6	6							6
1	10th infantry and headquarters .....	59	5	64	1	1	6	2	8	65
1	10th infantry .....	35	1	36	1	1	30	2	32	65
3	10th infantry .....	130	7	137	1	1	34	2	36	164
3	10th infantry .....	198	7	205	1	1	11	2	13	209
2	10th infantry .....	72	6	78			9		9	81
1	22d infantry .....	63	1	64	1			1	1	63
2	22d infantry .....	127	7	134	1		5	1	6	132
3	22d infantry and headquarters .....	225	11	236	1	1	33	2	35	258
4	22d infantry .....	232	7	239	1	3	13	6	19	245
3	31st infantry and headquarters .....	278	8	286	1	4	17	5	22	295
4	31st infantry .....	339	6	345	1	2	14	7	21	353
3	31st infantry .....	231	9	240	1	2	34	3	37	265
4	13th infantry and headquarters .....	198	8	206	1	4	65	10	75	263
3	13th infantry .....	101	5	106	2	2	105	4	109	206
3	13th infantry .....	187	8	195		1	2	1	3	189
40	.....	2,475	102	2,577	4	16	24	378	48	2,853
1	Department staff .....	6	6							6
1	3d artillery .....	93	4	97		1	2	1	3	95
6	2d cavalry and headquarters, 18th infantry .....	348	14	362	4	2	6	12	88	424
5	2d cavalry, 18th infantry and headquarters .....	287	11	298	1	2	4	7	97	377
7	2d cavalry, 4th infantry, and headquarters .....	314	13	227	1	1	9	172	11	486
7	2d cavalry, 18th infantry .....	380	12	392		6	5	181	11	561
5	2d cavalry, 30th infantry, 36th infantry, and headquarters .....	322	15	338	2	1	25	3	28	347
8	2d cavalry, 30th infantry and headquarters .....	354	13	367		5	6	206	11	560
5	2d cavalry, 4th infantry .....	189	11	200		3	4	174	7	363
5	36th infantry .....	337	11	348		2	3	28	5	365
3	36th infantry .....	207	11	218		1	18	3	19	225
1	36th infantry .....	65	3	68			6		6	71
10	27th infantry and headquarters .....	670	24	694		2	6	34	8	704
63	.....	3,566	148	3,714	1	625	45	1,012	77	4,578
191	.....	12,104	509	12,613	7	32	113	2,618	223	14,722



## D.—Position and distribution of the troops in the military division of the Pacific, commanded in California, taken from the latest returns on

Posts.	Situation.	Commanding officers.
Military division of the Pacific, including the departments of California, commanded by Bvt. Maj. Gen. E. O. C.	nia, Alaska, and the Columbia.....	Ord, (headquarters San Francisco, Cal..
Presidio, Cal.....	San Francisco	Bvt. Col. A. C. M. Pennington, capt. 2d art.
Point San José, Cal.....	San Francisco harbor	Bvt. Capt. Wm. P. Vose, 1st lieutenant, 2d art.
Angel island, Cal.....	do.	Bvt. Maj. Gen. J. H. King, col. 9th inf.
Camp Lincoln, Cal.....	Near Crescent City	Capt. Wm. E. Appleton, 9th infantry
Camp Gaston, Cal.....	Near Klamath river, in Hoopa valley	Capt. Edwin Pollock, 9th infantry
Drum Barracks, Cal.....	At Wilmington, Cal.	1st Lieut. Alfred Morton, 9th infantry
Camp Bidwell, Cal.....	In Surprise valley, Siskiyou county	Capt. Samuel Munson, 9th infantry
Camp Weight, Cal.....	In Round valley	1st Lieut. G. R. Griffith, 9th infantry
Camp Cady, Cal.....	On the Mojave river, 151 miles west of Wilmington.	1st Lieut. John Drum, 14th infantry
Camp Independence, Cal.	In Owen's River valley	Bvt. Lieut. Col. J. D. Devin, capt. 9th inf.
Fort Yuma, Cal.....	At the junction of the Gila and Colorado rivers.	Bvt. Brig. Gen. C. S. Lovell, col. 14th inf.
Alcatraz island, Cal.....	San Francisco	Bvt. Brig. Gen. J. M. Robertson, capt. 2d artillery.
Camp McGarry, Nev.....	Near Summit lake	Capt. Wm. Kelley
Fort Churchill, Nev.....	On Carson river, 25 miles from Virginia City.	Bvt. Brig. Gen. J. I. Gregg, col. 8th cav.
Camp Scott.....	At the head of Paradise valley	1st Lieut. Joseph Karge, 8th cavalry
Camp Halleck, Nev.....	18 miles south of Humboldt river, near Ruby City.	Capt. Samuel P. Smith, capt. 8th cavalry
Camp McDermitt, Nev.....	120 miles north of Starr City	Bvt. Maj. D. Seward, capt. 8th cavalry
Camp Ruby, Nev.....	On the western side of Ruby valley	Capt. T. Connelly, 9th infantry
Camp Mojave, A. T.....	East side of the Colorado river, 209 miles north of Fort Yuma.	Bvt. Lieut. Col. W. R. Price, maj. 8th cav.
Camp Willow Grove, A. T.	At Willow Grove	Capt. C. H. Lester, 8th cavalry
Camp Whipple, A. T.....	Near Prescott	Bvt. Brig. Gen. T. C. Devin, lieutenant, col. 8th cavalry.
Camp Lincoln, A. T.....	On the Upper Verde river, on the old Santa Fé trail.	Maj. D. R. Clendenin, 8th cavalry
Camp McPherson, A. T.	In Skull valley, on road to Prescott	Capt. J. W. Welr, 14th infantry
Camp McDowell, A. T.	52 miles north Maricopa wells	Bvt. Brig. Gen. A. J. Alexander, maj. 8th cavalry.
Camp Bowie, A. T.....	At Apache Pass	Capt. H. J. Ripley, 32d infantry
Camp Lowell, A. T.....	At Tucson	Bvt. Brig. Gen. T. L. Crittenden, col. 32d infantry.
Camp Wallen, A. T.....	On the Upper San Pedro river	Bvt. Maj. G. M. Downey, capt. 32d inf.
Camp Crittenden, A. T.	65 miles south of Tucson	Capt. S. G. Whipple, 32d infantry
Camp Grant, A. T.....	15 miles above the mouth of the San Pedro river.	Bvt. Lieut. Col. G. Ilges, capt. 14th inf.
Camp Goodwin, A. T.	On the Gila river, 120 miles northeast of Tucson.	Bvt. Lieut. Col. R. F. O'Beirne, capt. 32d infantry.
Camp Reno, A. T.....	In Tonto valley	1st Lieut. G. W. Chilson, 32d infantry
Total department of California.....		
Department of Alaska, commanded by Bvt. Maj. Gen. Jefferson C.		Davis, col. 23d inf. (hdqrs. Sitka, Al. T.)
Sitka, Al. T.....		Bvt. Maj. C. O. Wood, 9th infantry
Fort Kodiak, Al. T.....	On Kodiak island, harbor of St. Paul	1st Lieut. E. L. Huggins, 2d artillery
Fort Tongass, Al. T.....	At Tongass island	Capt. C. H. Peirce, 2d artillery
Fort Wrangell, Al. T.....	On Wrangell island. Etholine bay	Bvt. Capt. J. H. Smith, 1st lieutenant, 2d art.
Fort Kenay, Al. T.....	In Kenay harbor, Gulf of Chugach	Bvt. Capt. John McGilvray, 1st lieutenant, 2d art.
Total department of Alaska.....		

by Major General H. W. Halleck, United States army, headquarters at San Francisco, California in the Adjutant General's office.

Garrisons.		Present.																							
Number of companies.	Regiments.																								
		General officers.	Aides-de-camp to general officers.	Adjutant General's department.	Inspectors general.	Bureau of Military Justice.	Quartermasters' department.	Subsistence department.	Medical department.	Pay department.	Corps of engineers.	Ordnance department.	Post chaplains.	Military storekeepers.	Retired.	Colonels.	Lieutenant colonels.	Majors.	Regimental chaplains.	Captains.	Regimental adjutants.	Regimental quartermasters.	Regimental commissaries.	Reg'l quartermasters and commissaries.	Subalterns.
..	Staff of the military division.....	1	3	1	1	..	1	1	1	..	1	..	..	2	..	..	..	..	..	..	..	..	..	..	..
..	Department staff .....	1	2	1	..	..	2	1	2	..	..	..	..	1	..	..	..	..	..	2	1	..	..	1	..
2	2d artillery and headquarters.....	..	..	..	..	..	..	..	1	..	..	..	1	..	..	..	..	..	2	1	..	..	..	..	..
1	2d artillery .....	..	..	..	..	..	..	..	1	..	..	..	1	..	..	..	..	..	2	1	..	..	..	..	..
1	9th infantry and headquarters.....	..	..	..	..	..	..	..	1	..	..	..	..	..	..	1	..	..	1	..	..	..	..	..	..
1	9th infantry .....	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	..	..
2	... do .....	..	..	..	..	..	..	..	1	..	..	..	..	..	..	..	..	..	1	..	1	..	..	..	..
2	8th cavalry and 9th infantry .....	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	2	..	..	..	..	..	..
1	9th infantry .....	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
1	14th infantry .....	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
1	9th infantry .....	..	..	..	..	..	..	..	1	..	..	..	..	..	..	..	..	..	1	..	..	..	..	..	..
1	14th infantry and headquarters .....	..	..	..	..	..	1	1	..	..	..	..	..	1	..	..	..	1	1	1	..	..	..	..	..
1	2d artillery .....	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	..	1	..	..	..	..	..	..	..
1	8th cavalry.....	..	..	..	..	..	..	..	1	..	..	..	..	1	..	..	..	1	..	..	..	..	..	..	..
1	8th cavalry, headquarters, and 9th inf.....	..	..	..	..	..	..	..	1	..	..	..	..	1	..	..	..	1	1	..	..	..	..	..	..
1	8th cavalry .....	..	..	..	..	..	1	..	..	..	..	..	..	..	..	..	..	2	..	..	..	..	..	..	..
2	... do .....	..	..	..	..	..	..	1	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	..	..
2	... do .....	..	..	..	..	..	..	..	1	..	..	..	..	..	..	..	..	..	1	..	..	..	..	..	..
1	9th infantry .....	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	..	..	..
1	14th infantry .....	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1	..	1	..	..	..	..	..	..
2	8th cavalry.....	..	..	..	..	..	1	1	..	..	..	..	..	..	..	1	..	1	..	..	..	..	..	..	..
2	... do .....	..	..	..	..	..	1	1	..	..	..	..	..	1	..	..	..	1	..	..	..	..	..	..	..
2	14th infantry .....	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	..	..	..	..
2	... do .....	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	2	..	..	..	..	..	..	..
3	1st and 8th cavalry, 14th infantry.....	..	..	..	..	..	..	2	..	..	1	1	..	..	..	1	1	1	..	..	..	..	..	..	..
1	32d infantry.....	..	..	..	..	..	1	1	..	..	..	..	..	1	..	1	..	1	..	1	..	..	..	..	..
2	32d infantry, headquarters, and 1st cav.....	..	..	..	..	1	1	..	..	..	..	..	..	1	..	1	..	1	..	1	..	..	..	..	..
1	32d infantry.....	..	..	..	..	..	1	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	..	..	..
3	1st cavalry and 32d infantry.....	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	2	..	..	..	..	..	..	..
3	14th and 32d infantry .....	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	2	..	..	..	..	..	..	..
3	32d infantry .....	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	2	..	..	..	..	..	..	..
2	14th and 32d infantry .....	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
49	.....	1	2	1	..	6	1	15	..	..	3	1	1	4	1	4	4	25	3	4	..	1	..	63	..
..	Department staff .....	1	..	..	..	1	1	1	..	..	..	..	1	..	..	..	..	..	..	..	..	..	..	..	..
2	2d artillery and 9th infantry.....	..	..	..	..	..	..	..	..	1	..	..	1	..	..	..	..	..	2	..	..	..	..	..	3
1	2d artillery .....	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	..	..	1	..	..	..	..	..	3
1	... do .....	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	..	..	2
1	Detachment 2d artillery .....	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	2
1	2d artillery .....	..	..	..	..	..	1	1	..	..	1	..	..	1	..	..	..	3	..	..	..	..	..	..	4
5	.....	1	..	..	..	1	1	1	..	1	..	1	..	1	..	..	3	..	..	..	..	..	..	..	14

## D.—Position and distribution of the troops in the

Posts.	Situation.	Commanding officers.
Department of the Columbia, Camp Watson, Or. ....	mbia, commanded by Bvt. Maj. Gen. Geo. On the Canyon City road .....	Crook, lt. col. 23d inf., hdqrs. Portland, Or. Bvt. Lieut. Col. E. M. Baker, capt. 1st cavalry.
Camp Logan, Or. ....	Near the middle fork of John Day's river.	1st Lieut. D. W. Walcott, 1st cavalry ...
Camp C. F. Smith, Or. ....	On mail route from Chico to Idaho .....	1st Lieut. J. W. Lewis, 23d infantry .....
Camp Warner, Or. ....	On Warner lake, Oregon .....	Capt. J. A. Hall, 1st cavalry .....
Camp Harney, Or. ....	On Rattlesnake creek, Oregon .....	Capt. David Perry, 1st cavalry .....
Fort Stevens, Or. ....	About 9 miles from Astoria, Oregon .....	Bvt. Maj. J. A. Darling, capt. 2d art. ....
Fort Klamath, Or. ....	Near Lake Klamath, 40 miles north of California State line.	Capt. Thomas McGregor, 1st cav. ....
Fort Vancouver, W. T. ....	8 miles north of Portland, Oregon .....	Bvt. Maj. Gen. T. L. Elliott, lieut. col. 1st cavalry.
Fort Colville, W. T. ....	In Colville valley, near boundary line be- tween the United States and British provinces.	1st Lieut. Wm. C. M. Manning, 23d inf. ...
Camp Steele, W. T. ....	On San Juan island, W. T. ....	Bvt. Lieut. Col. Thos. Grey, capt. 2d art.
Cape Disappointment, W. T. ....	At the mouth of the Columbia river, near Pacific City.	1st Lieut. R. G. Howell, 2d artillery .....
Fort Lapwai, I. T. ....	Near the junction of the Snake and Clear Water rivers.	Bvt. Lieut. Col. E. V. Sumner, capt. 1st cavalry.
Camp Three Forks, Owyhee, I. T. ....	On the south fork of the Owyhee river. ...	Bvt. Lieut. Col. J. J. Coffinger, capt. 23d infantry.
Fort Boise, I. T. ....	45 miles above the mouth of the Boise river.	Bvt. Col. E. Otis, major 1st cavalry .....
Camp Lyon, I. T. ....	On Jordan creek .....	Bvt. Capt. Moses Harris, 1st lieut. 1st cav.
Total department	of the Columbia .....	.....
Total military divi	sion of the Pacific .....	.....

*military division of the Pacific, &c.*—Continued.

Number of companies.		Garrisons.	Present.																								
Regiments.		General officers.	Aides-de-camp to general officers.	Adjutant General's department.	Inspectors general.	Bureau of Military Justice.	Quartermasters' department.	Subsistence department.	Medical department.	Pay department.	Corps of engineers.	Ordnance department.	Post chaplains.	Military storekeepers.	Retired.	Colonels.	Lieutenant colonels.	Majors.	Regimental chaplains.	Captains.	Regimental adjutants.	Regimental quartermasters.	Regimental commissaries.	Reg'l quartermasters and commissaries.	Subalterns.		
1	Department staff.....		2				1	1		1		1		1	1		1			1							
1	1st cavalry .....																			1						1	
1	do .....																									1	
1	23d infantry .....																									1	
4	1st cavalry, 23d infantry, and headq'rs..						1	1												1	1					5	
3	1st cavalry and 23d infantry .....							1												1		1				5	
1	2d artillery .....							1												1						2	
1	1st cavalry .....																			1						1	
1	1st cavalry, headquarters, and 23d inf...								1								1				1	1				1	
1	23d infantry .....																									2	
1	2d artillery .....								1											1						1	
1	do .....																									1	
1	1st cavalry .....																			1						2	
2	23d infantry .....																			2						2	
1	do .....							1									1	1								1	
1	1st cavalry .....																				1	1	1	1		2	
21	.....		2				2	7		1	1	1	1	1	1		2	1	11	2	1	1	1			30	
75	.....		2	8	2	1	10	24		1	1	4	2	4	5	3	5		42	5	5	1	1			107	

## D.—Position and distribution of the troops in the

Posts.	Situation.	Commanding officers.
<p>Military division of the Department of California, Cal. ....</p> <p>Point San José, Cal. ....</p> <p>Angel island, Cal. ....</p> <p>Camp Lincoln, Cal. ....</p> <p>Camp Gaston, Cal. ....</p> <p>Drum Barracks, Cal. ....</p> <p>Camp Bidwell, Cal. ....</p> <p>Camp Wright, Cal. ....</p> <p>Camp Cady, Cal. ....</p> <p>Camp Independence, Cal. ....</p> <p>Fort Yuma, Cal. ....</p> <p>Alcatraz island, Cal. ....</p> <p>Camp McGarry, Nev. ....</p> <p>Fort Churchill, Nev. ....</p> <p>Camp Scott, Nev. ....</p> <p>Camp Halleck, Nev. ....</p> <p>Camp McDermitt, Nev. ....</p> <p>Camp Ruby, Nev. ....</p> <p>Camp Mojave, A. T. ....</p> <p>Camp Willow Grove, A. T. ....</p> <p>Camp Whipple, A. T. ....</p> <p>Camp Lincoln, A. T. ....</p> <p>Camp McPherson, A. T. ....</p> <p>Camp McDowell, A. T. ....</p> <p>Camp Bowie, A. T. ....</p> <p>Camp Lowell, A. T. ....</p> <p>Camp Wallen, A. T. ....</p> <p>Camp Crittenden, A. T. ....</p> <p>Camp Grant, A. T. ....</p> <p>Camp Goodwin, A. T. ....</p> <p>Camp Reno, A. T. ....</p> <p>Total department</p>	<p>Pacific, including the departments of California, commanded by Bvt. Maj. Gen. E. O. C. San Francisco .....</p> <p>San Francisco harbor .....</p> <p>do .....</p> <p>Near Crescent City .....</p> <p>Near Klamath river, in Hoopa valley .....</p> <p>At Wilmington, Cal. ....</p> <p>In Surprise valley, Siskiyou county .....</p> <p>In Round valley .....</p> <p>On the Mojave river, 151 miles west of Wilmington. ....</p> <p>In Owen's River valley .....</p> <p>At the junction of the Gila and Colorado rivers. ....</p> <p>San Francisco .....</p> <p>Near Summit lake .....</p> <p>On Carson river, 25 miles from Virginia City. ....</p> <p>At the head of Paradise valley .....</p> <p>18 miles south of Humboldt river, near Ruby City. ....</p> <p>120 miles north of Starr City. ....</p> <p>On the western side of Ruby valley .....</p> <p>East side of the Colorado river, 209 miles north of Fort Yuma. ....</p> <p>At Willow Grove .....</p> <p>Near Prescott. ....</p> <p>On the Upper Verde river, on the old Santa Fé trail. ....</p> <p>In Skull valley, on road to Prescott. ....</p> <p>52 miles north of Maricopa wells .....</p> <p>At Apache Pass .....</p> <p>At Tucson .....</p> <p>On the Upper San Pedro river .....</p> <p>65 miles south of Tucson .....</p> <p>15 miles above the mouth of the San Pedro river. ....</p> <p>On the Gila river, 120 miles northeast of Tucson. ....</p> <p>In Tonto valley .....</p> <p>of California .....</p>	<p>nia, Alaska, and the Columbia. ....</p> <p>Ord, headquarters San Francisco, Cal. ..</p> <p>Bvt. Col. A. C. M. Pennington, capt. 2d art. ....</p> <p>Bvt. Capt. Wm. P. Vose, 1st lieut. 2d art. ....</p> <p>Bvt. Maj. Gen. J. H. King, col. 9th inf. ....</p> <p>Capt. Wm. E. Appleton, 9th infantry. ....</p> <p>Capt. Edwin Pollock, 9th infantry .....</p> <p>1st Lieut. Alfred Morton, 9th infantry ...</p> <p>Capt. Samuel Munson, 9th infantry .....</p> <p>1st Lieut. G. R. Griffith, 9th infantry ...</p> <p>1st Lieut. John Drum, 16th infantry .....</p> <p>Bvt. Lieut. Col. J. D. Devin, capt. 9th inf. ....</p> <p>Bvt. Brig. Gen. C. S. Lovell, col. 14th inf. ....</p> <p>Bvt. Brig. Gen. J. M. Robertson, capt. 2d artillery. ....</p> <p>Capt. Wm. Kelley .....</p> <p>Bv. Brig. Gen. J. I. Gregg, col. 8th cav. ...</p> <p>1st Lieut. Joseph Karge, 8th cavalry .....</p> <p>Capt. Samuel P. Smith, capt. 8th cavalry. ....</p> <p>Bvt. Maj. D. Seward, capt. 8th cavalry ..</p> <p>Capt. T. Connelly, 9th infantry .....</p> <p>Bvt. Lieut. Col. W. R. Price, maj. 8th cav. ....</p> <p>Capt. C. H. Lester, 8th cavalry .....</p> <p>Bvt. Brig. Gen. T. C. Devin, lieut. col. 8th cavalry. ....</p> <p>Maj. D. R. Clendenin, 8th cavalry .....</p> <p>Capt. J. W. Weir, 14th infantry .....</p> <p>Bv. Brig. Gen. A. J. Alexander, maj. 8th cavalry. ....</p> <p>Capt. H. J. Ripley, 32d infantry .....</p> <p>Bvt. Brig. Gen. T. L. Crittenden, col. 32d infantry. ....</p> <p>Bvt. Maj. G. M. Downey, capt. 32d inf. ...</p> <p>Capt. S. G. Whipple, 32d infantry .....</p> <p>Bvt. Lieut. Col. G. Ilges, capt. 14th inf. ...</p> <p>Bvt. Lieut. Col. R. F. O'Beirne, capt. 33d infantry. ....</p> <p>1st Lieut. G. W. Chilson, 32d infantry. ...</p> <p>Davis, col. 23d inf., hdqrs. Sitka, Al. T. ...</p> <p>Bvt. Maj. C. O. Wood, 9th infantry .....</p> <p>1st Lieut. E. L. Huggins, 2d artillery .....</p> <p>Capt. C. H. Polce, 2d artillery .....</p> <p>Bvt. Capt. J. H. Smith, 1st lieut. 2d art. ....</p> <p>Bvt. Capt. John McGilvray, 1st lt. 2d art. ....</p>
<p>Department of Alaska, Sitka, Al. T. ....</p> <p>Fort Kodiak, Al. T. ....</p> <p>Fort Tongass, Al. T. ....</p> <p>Fort Wrangell, Al. T. ....</p> <p>Fort Kenay, Al. T. ....</p> <p>Total department</p>	<p>commanded by Bvt. Maj. Gen. Jefferson C. On Kodiak island, harbor of St. Paul ....</p> <p>At Tongass island .....</p> <p>On Wrangell island, Etholine bay. ....</p> <p>In Kenay harbor, Gulf of Chugachink. ....</p> <p>of Alaska .....</p>	<p>...</p>

military division of the Pacific, &amp;c.—Continued.

Garrisons,		Present.		Absent.				Present and absent.					
Number of companies.	Regiments.	Enlisted men.	Total commissioned.	Aggregate.	General and staff officers. Regimental field and staff.			Enlisted men.	Total commissioned.	Aggregate.	Commissioned officers.	Enlisted men.	Aggregate.
					Captains.	Subalterns.							
...	Staff of the military division .....	9	9	9							9		9
2	Department staff .....	8	8	8							8		8
2	2d artillery and headquarters .....	272	13	285	2	1	17	3	20	16	289	305	305
1	2d artillery .....	101	3	104	2	2	10	3	13	6	111	117	117
1	9th infantry and headquarters .....	126	5	131	2	1	3	3	6	8	129	137	137
1	9th infantry .....	55	2	57		1	37	1	38	3	92	95	95
2	do .....	174	3	177	1	2	21	3	24	6	195	201	201
		1	2	3						2	1	3	3
2	8th cavalry and 9th infantry .....	108	4	112		2	41	2	43	6	149	155	155
1	9th infantry .....	105	2	107		1	10	1	11	3	115	118	118
1	14th infantry .....	53	1	54		1	27	1	28	2	80	82	82
1	9th infantry .....	66	3	69		1	10	1	11	4	76	80	80
1	14th infantry and headquarters .....	61	7	68	2	1	2	3	5	10	63	73	73
1	2d artillery .....	126	5	131		1	8	1	9	6	134	140	140
1	8th cavalry .....	72	3	75			6		6	3	78	81	81
1	8th cavalry, headquarters, and 9th inf. ...	75	5	80	2	1	8	3	11	8	83	91	91
1	8th cavalry .....	24	2	26		1	8	1	9	3	32	35	35
2	do .....	79	5	84		1	30	1	31	6	109	115	115
2	do .....	69	3	72		1	15	3	18	6	84	90	90
1	9th infantry .....	79	2	81			5		5	2	84	86	86
1	14th infantry .....	36	3	39		1	18	1	19	4	54	58	58
2	8th cavalry .....	87	1	88		1	25	4	29	5	112	117	117
2	do .....	32	6	38		1	81	3	84	9	113	122	122
2	14th infantry .....	141	3	144		2	58	4	62	7	199	206	206
2	do .....	93	4	97		2	62	2	64	6	155	161	161
3	1st and 8th cavalry, 14th infantry .....	194	11	205		2	12	3	15	14	206	220	220
1	32d infantry .....	43	3	46			44		44	3	87	90	90
2	32d infantry, headquarters, and 1st cav. ...	86	7	93	3	2	87	7	94	14	173	187	187
1	32d infantry .....	63	3	66		1	31	1	32	4	94	98	98
3	1st cavalry and 32d infantry .....	172	3	175		1	72	5	77	8	244	252	252
3	14th and 32d infantry .....	238	6	244		1	34	2	36	8	272	280	280
3	32 infantry .....	133	7	140		1	130	1	131	8	263	271	271
2	14th and 32d infantry .....	78	2	80		2	103	4	107	6	181	187	187
49	.....	3, 042	137	3, 179	11	21	35	1, 015	67	1, 082	204	4, 057	4, 261
...	Department staff .....	3	3	3						3	3	3	3
2	2d artillery and 9th infantry .....	226	6	332		2	10	2	12	8	236	244	244
1	2d artillery .....	94	3	97		1	3	2	5	5	97	102	102
1	do .....	46	3	40			4		4	3	50	53	53
1	Detachment 2d artillery .....	56	2	58						2	56	58	58
1	2d artillery .....	108	4	112		1		1	1	5	108	113	113
5	.....	530	21	551		2	17	5	22	26	547	573	573

## D.—Position and distribution of the troops in the

Posts.	Situation.	Commanding officers.
Department of the Columbia, commanded by Bvt. Maj. Gen. Geo. Crook, lt. col. 23d inf., hdqrs. Portland, Or.		
Camp Watson, Or. ....	On the Canyon City road. ....	Bvt. Lieut. Col. E. M. Baker, capt. 1st cavalry.
Camp Logan, Or. ....	Near the middle fork of John Day's river.	1st Lieut. D. W. Walcott, 1st cavalry...
Camp C. F. Smith, Or. ....	On mail route from Chico to Idaho. ....	1st Lieut. J. W. Lewis, 23d infantry ....
Camp Warner, Or. ....	On Warner lake, Oregon. ....	Capt. J. A. Hall, 1st cavalry. ....
Camp Harney, Or. ....	On Rattlesnake creek, Oregon. ....	Capt. David Perry, 1st cavalry. ....
Fort Stevens, Or. ....	About 9 miles from Astoria, Oregon. ....	Bvt. Maj. J. A. Darling, capt. 2d art. ....
Fort Klamath, Or. ....	Near Lake Klamath, 40 miles north of California State line.	Capt. Thomas McGregor, 1st cav. ....
Fort Vancouver, W. T. ....	8 miles north of Portland, Oregon. ....	Bvt. Maj. Gen. T. L. Elliott, lieut. col. 1st cavalry.
Fort Colville, W. T. ....	In Colville valley, near boundary line between the United States and British provinces.	1st Lieut. Wm. C. Manning, 23d inf. ....
Camp Steele, W. T. ....	On San Juan island, W. T. ....	Bvt. Lieut. Col. Thos. Grey, capt. 2d art.
Cape Disappointment, W. T. ....	At the mouth of the Columbia river, near Pacific City.	1st Lieut. R. G. Howell, 2d artillery. ....
Fort Lapwai, I. T. ....	Near the junction of the Snake and Clear Water rivers.	Bvt. Lieut. Col. E. V. Sumner, capt. 1st cavalry.
Camp Three Forks, Owyhee, I. T. ....	On the south fork of the Owyhee river. ....	Bvt. Lieut. Col. J. J. Coffinger, capt. 23d infantry.
Fort Boise, I. T. ....	45 miles above the mouth of the Boise river.	Bvt. Col. E. Otis, major 1st cavalry. ....
Camp Lyon, I. T. ....	On Jordan creek. ....	Bvt. Capt. Moses Harris, 1st lieut. 1st cav.
Total department of the Columbia. ....		
Total military division of the Pacific. ....		

ADJUTANT GENERAL'S OFFICE, Washington, D. C., October 20, 1868.

military division of the Pacific, &amp;c.—Continued.

Regiments.		Present.		Absent.					Present and ab- sent.				
Number of companies.	Regiments.	Enlisted men.	Total commissioned.	Aggregate.	General and staff officers.			Enlisted men.	Total commissioned.	Aggregate.	Commissioned officers.	Enlisted men.	Aggregate.
					Regimental field and staff.	Captains.	Subalterns.						
...	Department staff.....	6	6	6	...	...	...	...	...	...	6	...	6
1	1st cavalry .....	74	2	76	...	1	...	1	1	2	3	75	78
1	do .....	49	1	50	...	1	1	18	2	20	3	67	70
1	23d infantry .....	48	1	49	...	1	1	2	2	4	3	50	53
4	1st cavalry, 23d infantry, and headqrs...	197	10	207	...	1	2	52	5	57	15	249	264
3	1st cavalry and 23d infantry .....	207	8	215	...	2	1	21	3	24	11	228	239
1	2d artillery .....	52	4	56	...	1	...	5	1	6	5	57	62
1	1st cavalry .....	84	2	86	...	1	...	6	1	7	3	90	93
1	1st cavalry, headquarters, and 23d inf...	77	5	82	...	2	1	5	4	9	9	82	91
1	23d infantry .....	35	2	37	...	1	...	4	1	5	3	39	42
1	2d artillery .....	49	4	53	...	...	...	4	...	4	4	53	57
1	do .....	51	2	53	...	1	2	6	3	9	5	57	62
1	1st cavalry .....	75	3	78	...	...	...	1	...	1	3	76	79
2	23d infantry .....	89	4	93	...	...	2	26	2	28	6	115	121
1	do .....	35	4	39	...	...	1	8	1	9	5	43	48
1	1st cavalry .....	56	2	58	...	1	...	16	1	17	3	72	75
21	.....	1, 178	60	1, 238	...	3	10	175	27	202	87	1, 353	1, 440
75	.....	4, 750	227	4, 977	...	14	33	1, 207	99	1, 306	326	5, 957	6, 283

E. D. TOWNSEND, Assistant Adjutant General.



*E.—Position and distribution of the troops of the military division of the Atlantic, command D. C., taken from the latest returns on*

Posts.	Situation.	Commanding officers.
<p>Military division of the Department of the East, Ft. Hamilton, N. Y. har. Ft. Wadsworth, N. Y. har. Ft. Schuyler, N. Y. har.</p> <p>Fort Porter, N. Y. .... Fort Niagara, N. Y. ... Plattsburg Barracks, N. Y. Madison Barracks, N. Y. Fort Ontario, N. Y. ....</p> <p>Fort Warren, Mass. ... Ft. Independence, Mass.</p> <p>Fort Preble, Me. .... Fort Sullivan, Me. ... Fort Trumbull, Conn. ... Fort Adams, R. I. .... Fort Delaware, Del. ...</p> <p>Total department</p>	<p>Atlantic including the departments of the commanded by Bvt. Maj. General Irvin Southwest corner of Long island ..... On Staten Island, at the Narrows ..... At Throg's Neck, on Long Island sound..</p> <p>At Buffalo..... At the mouth of the Niagara river..... At Plattsburg..... At Sackett's Harbor ..... At Oswego .....</p> <p>On George's island, Boston harbor..... On Castle island, Boston harbor .....</p> <p>On the northern extremity of Cape Elizabeth. On Moose island, near Eastport..... On the right bank of the Thames river, one mile below New London. On Brenton's point, Newport harbor..... On Pea Patch island, Delaware river ....</p> <p>of the East .....</p>	<p>East, Washington, and the Lakes..... McDowell, (headquarters New York city) Bvt. Brig. Gen. J. Vogdes, col. 1st art... Bvt. Col. C. L. Best, maj. 1st artillery... Bvt. Brig. Gen. J. A. Haskin, lieut. col. 1st artillery. Bvt. Col. J. Hamilton, maj. 1st artillery. Captain C. M. Pyne, 42d infantry..... Captain J. W. Powell, 42d infantry.....</p> <p>Bvt. Major C. T. Greene, capt. 42d inf.. Bvt. Lieut. Col. R. L. Kilpatrick, capt. 42d infantry. Major A. A. Gibson, 3d artillery..... Bvt. Brig. Gen. G. A. DeRussy, maj. 3d artillery. Bvt. Col. H. G. Gibson, maj. 3d artillery.</p> <p>Bvt. Maj. Gen. H. J. Hunt, lieut. col. 3d artillery. Bvt. Maj. Gen. J. M. Brannan, maj. 1st artillery. Bvt. Maj. Gen. T. W. Sherman, col. 3d artillery. Bvt. Brig. Gen. C. H. Morgan, maj. 4th art</p>
<p>Department of Wash</p> <p>Russell Barracks, D. C.</p> <p>Lincoln Barracks, D. C.</p> <p>Fort McHenry, Md. ...</p> <p>Fort Washington, Md.</p> <p>Fort Foote, Md. ....</p> <p>Total department</p>	<p>ington, commanded by Bvt. Maj. General</p> <p>Washington, D. C. ....</p> <p>Washington, D. C. ....</p> <p>Near Baltimore, Md. ....</p> <p>On the east bank of Potomac river, 15 miles below Washington, D. C.</p> <p>On Rosier's Bluff, 2 miles below Alex- andria, Va.</p> <p>of Washington.....</p>	<p>E. R. S. Canby, (headquarters at Wash- ington city. Bvt. Lieut. Col. P. W. Stanhope, capt. 12th infantry. Bvt. Col. Thomas Shea, capt. 44th inf. .. Bvt. Brig. Gen. H. Brooks, col. 4th art.. Bvt. Maj. Gen. A. P. Howe, maj. 4th art.</p> <p>Bvt. Col. R. Loder, capt. 4th artillery...</p>
<p>Department of the Lakes, commanded by Bvt. Maj. Gen. John</p> <p>Fort Wayne, Mich. ....</p> <p>Fort Brady, Mich. ....</p> <p>Fort Gratiot, Mich. ...</p> <p>Fort Mackinac, Mich. ...</p> <p>Fort Wilkins, Mich. ...</p> <p>Total department</p> <p>Total military division of the Atlantic .....</p>	<p>On the Detroit strait, 3 miles below Detrot.</p> <p>At Sault de St. Marie.....</p> <p>On the right bank of the St Clair river... On Michilimackinac island .....</p> <p>At Copper Mine harbor .....</p> <p>of the Lakes.....</p> <p>vision of the Atlantic .....</p>	<p>Pope, (headquarters at Detroit, Mich).... Bvt. Maj. Gen. J. C. Robinson, col. 43d infantry. Bvt. Brig. Gen. J. B. Kiddoo, lieut. col. 43d infantry. Bvt. Maj. F. Walker, capt. 43d infantry. Captain John Mitchell, 43d infantry..... Captain K. Robbins, 43d infantry.....</p>



*E. Position and distribution of the troops in the*

Posts.	Situation.	Commanding officers.
Military division of the Department of the east, Ft. Hamilton, N. Y. har. Ft. Wadsworth, N. Y. har. Ft. Schuyler, N. Y. har.	Atlantic, including the department of the commanded by Bvt. Maj. General Irvin Southwest corner of Long island ..... On Staten island, at the Narrows ..... At Throg's Neck, on Long Island sound..	East, Washington, and the Lakes..... McDowell, (headquarters New York city) Bvt. Brig. Gen. J. Vogdes, col. 1st art.. Bvt. Col. C. L. Best, maj. 1st artillery.. Bvt. Brig. Gen. J. A. Haskin, lieutenant. col. 1st. artillery. Bvt. Col. J. Hamilton, maj. 1st artillery. Captain C. M. Pyne, 42d infantry..... Captain J. C. Powell, 42d infantry.....
Fort Porter, N. Y. .... Fort Niagara, N. Y. .... Plattsburg Barracks, N. Y. .... Madison Barracks, N. Y. Fort Ontario, N. Y. ....	At Buffalo..... At the mouth of the Niagara river..... At Plattsburg..... At Sackett's Harbor ..... At Oswego.....	Bvt. Maj. C. T. Greene, captain 42d inf.. Bvt. Lieut. Col. R. L. Kilpatrick, capt. 42d infantry. Major A. A. Gibson, 3d artillery..... Bvt. Brig. Gen. G. A. DeRussy, major 3d artillery. Bvt. Col. H. G. Gibson, major 3d art....
Fort Warren, Mass. .... Ft. Independence, Mass.	On George's island, Boston harbor ..... At Castle island, Boston harbor.....	Bvt. Maj. Gen. H. J. Hunt, lieutenant. col. 3d artillery. Bvt. Maj. Gen. J. M. Brannan, maj. 1st artillery. Bvt. Maj. Gen. T. W. Sherman, col. 3d artillery Bvt. Brig. Gen. C. H. Morgan, maj. 4th art
Fort Preble, Me. .... Fort Sullivan, Me. .... Fort Trumbull, Conn. Fort Adams, R. I. .... Fort Delaware, Del. ....	On the northern extremity of Cape Elizabeth. On Moose island, near Eastport..... On the right bank of the Thames river, one mile below New London. On Brenton's point, Newport harbor.... On Pea Patch island, Delaware river ....	
Total department	of the east .....	
Department of Washington, commanded by Bvt. Maj. General		E. R. S. Canby, (headquarters Washington city.)
Russell Barracks, D. C. ....	Washington, D. C. ....	Bvt. Lieut. Col. P. W. Stanhope, capt. 12th infantry.
Lincoln Barracks, D. C. ....	Washington, D. C. ....	Bvt. Col. Thomas Shea, capt. 44th inf..
Fort McHenry, Md. ....	Near Baltimore, Md. ....	Bvt. Brig. Gen. H. Brooks, col. 4th art..
Fort Washington, Md. ....	On the east bank of the Potomac river, 15 miles below Washington, D. C. ....	Bvt. Maj. Gen. A. P. Howe, maj. 4th art
Fort Foote, Md. ....	On Rosier's Bluff, two miles below Alexandria, Va. ....	Bvt. Col. R. Loder, capt. 4th artillery ..
Total department	of Washington.....	
Department of the lakes, commanded by Bvt. Maj. Gen. John		Pope, (headquarters Detroit, Mich) ....
Fort Wayne, Mich. ....	On the Detroit strait, 3 miles below Detroit	Bvt. Maj. Gen. J. C. Robinson, col. 43th infantry.
Fort Brady, Mich. ....	At Sault de St. Marie .....	Bvt. Brig. Gen. J. B. Kiddoo, lieutenant. col. 43d infantry.
Fort Gratiot, Mich. ....	On the right bank of the St. Clair river ..	Bvt. Maj. F. Walker, capt. 43d infantry.
Fort Mackinac, Mich. ....	On Michilimackinac island.....	Captain John Mitchell, 43d infantry .....
Fort Wilkins, Mich. ....	At Copper Mine harbor .....	Captain K. Robbins, 43d infantry .....
Total department	of the Lakes.....	
Total military division of the Atlantic .....		

military division of the Atlantic, &amp;c.—Continued.

Garrisons.		Present.			Absent.						Present and absent.			
Number of companies.	Regiments.	Enlisted men.	Total commissioned.	Aggregate.	General and staff officers.	Regimental, field, and staff.	Captains.	Subalterns.	Enlisted men.	Total commissioned.	Aggregate.	Commissioned officers.	Enlisted men.	Aggregate.
..	Staff of military division.....	1	1	1								1		1
..	Department staff.....	6	6	6								6		6
3	1st artillery and headquarters.....	213	16	229			2	3	2	5	18	216		234
1	1st artillery.....	66	5	71			1	6	1	7	6	72		78
2	1st artillery.....	115	7	122			3	1	3	4	10	116		126
2	1st artillery and 42d infantry.....	127	6	133		2	2	5	4	9	10	132		142
1	42d infantry.....	63	2	65			1		1	1	3	63		66
2	42d infantry.....	109	6	115				5		5	6	114		120
5	42d infantry and headquarters.....	235	12	247	3	1	4	10	8	18	20	245		265
1	42d infantry.....	49	2	51			1	5	1	6	3	54		57
3	3d artillery.....	183	11	194		2	2	15	4	19	15	198		213
1	3d artillery.....	60	5	65		1		4	1	5	6	64		70
1	3d artillery.....	68	5	73				2		2	5	70		75
1	3d artillery.....	70	3	73		1		4	1	5	4	74		78
2	1st artillery.....	116	9	125			3	7	3	10	12	123		135
3	3d artillery and headquarters.....	244	10	254	1	3	4	6	8	14	18	250		268
2	4th artillery.....	124	8	132			3	15	3	18	11	139		150
30	.....	1,842	113	1,955	1	3	10	26	88	40	128	153	1,930	2,083
..	Department staff.....	5	5	5							5		5	
5	12th infantry and headquarters.....	313	13	326	3	4	15	7	22	20	328	348		
10	44th infantry.....	369	14	383	3	8	10	211	21	232	35	580	615	
4	4th artillery and headquarters.....	281	20	301	1	3	12	4	16	24	293	317		
2	4th artillery.....	142	7	149		1	2	11	3	14	10	153	163	
1	4th artillery.....	91	2	93			2	4	2	6	4	95	99	
22	.....	1,196	61	1,259	7	9	21	253	37	290	98	1,449	1,547	
..	Department staff.....	1	6	7							6	1	7	
4	4th artillery, 43d infantry, and headquarters.....	301	14	315	1	2	4	9	7	16	21	310	331	
2	43d infantry.....	90	6	96			1	13	1	14	7	103	110	
1	43d infantry.....	46	2	48			1	9	1	10	3	55	58	
1	43d infantry.....	52	2	54			1	6	1	7	3	58	61	
1	43d infantry.....	52	1	53			1	5	1	6	2	57	59	
9	.....	542	31	573	1	2	8	42	11	53	42	584	625	
61	.....	3,580	206	3,786	1	11	21	55	383	88	471	294	3,963	4,257

E. D. TOWNSEND, Assistant Adjutant General.

F.—Position and distribution of the troops in the department of the South, commanded by Major  
latest returns on file in the

Posts.	Situation.	Commanding officers.
Department of the South, Atlanta, Ga .....	commanded by Major General George G.	Meade, (headquarters at Atlanta, Ga.) .. Bvt. Brig. Gen. C. C. Sibley, col. 16th infantry.
Savannah, Ga .....		Bvt. Maj. H. E. Maynadier, capt. 12th infantry.
Fort Pulaski, Ga.....	On Cockspur island, at the mouth of the Savannah river.	Captain H. C. Cook, 16th infantry .....
Dahlonga, Ga .....		Bvt. Maj. M. A. Cochran, capt. 16th infantry.
Fort Marion, Fla.....	At St. Augustine .....	Colonel J. T. Sprague, 7th infantry.....
Jacksonville, Fla .....		Bvt. Col. M. M. Blunt, major 7th inf.....
Fort Brooke, Fla .....	At Tampa.....	Captain G. S. Hollister, 7th infantry.....
Barrancas, Fla.....		Bvt. Lt. Col. H. S. Gansevoort, capt. 5th artillery.
Key West, Fla .....		Bvt. Maj. J. B. Rawles, capt. 5th art.....
Fort Jefferson, Fla.....	At the Garden Key, Tortugas .....	Bvt. Brig. Gen. B. H. Hill, lt. col. 5th artillery.
Huntsville, Ala.....		Bvt. Brig. Gen. T. H. Ruger, col. 33d infantry.
Mobile, Ala .....		Bvt. Lt. Col. J. D. Wilkins, maj. 33d infantry.
Montgomery, Ala.....		Bvt. Maj. G. M. Brayton, capt. 33d inf.
Charleston, S. C.....		Bvt. Lt. Col. G. A. Williams, maj. 6th infantry.
Columbia, S. C .....		Bvt. Brig. Gen. J. V. Bomford, col. 8th infantry.
Beaufort, S. C .....		Bvt. Major B. R. Perkins, capt. 12th infantry.
Goldsboro', N. C.....		Bvt. Lt. Col. C. E. Compton, maj. 40th infantry.
Fort Macon, N. C.....	On Bogue island, Beaufort harbor.....	Bvt. Col. F. L. Guenther, capt. 5th art.
Fort Johnson, N. C.....	At Smithville.....	First Lieut. W. A. Cameron, 5th art.....
Atlanta, Ga .....	(Escort at department headquarters)...	Bvt. Maj. T. E. Maley, capt. 5th cav...
Total department of the South .....		



## F.—Position and distribution of the troops in the

Posts.	Situation.	Commanding officers.
Department of the South, Atlanta, Ga .....	commanded by Major General George G.	Mead, (headquarters at Atlanta, Ga)..... Bvt. Brig. Gen. C. C. Sibley, col. 16th infantry.
Savannah, Ga.....		Bvt. Maj. H. E. Maynadier, capt. 12th infantry.
Fort Pulaski, Ga.....	On Cockspur island, at the mouth of the Savannah river.	Captain H. C. Cook, 16th infantry.....
Dahlonega, Ga .....		Bvt. Maj. M. A. Cochran, capt. 16th infantry.
Fort Marion, Fla .....	At St. Augustine .....	Colonel J. T. Sprague, 7th infantry.....
Jacksonville, Fla .....		Bvt. Col. M. M. Blunt, major 7th inf....
Fort Brooke, Fla .....	At Tampa.....	Captain G. S. Hollister, 7th infantry....
Barrancas, Fla.....		Bvt. Lt. Col. H. S. Gansevoort, capt. 5th artillery.
Key West, Fla .....		Bvt. Maj. J. B. Rawles, capt. 5th art....
Fort Jefferson, Fla.....	At the Garden Key, Tortugas .....	Bvt. Brig. Gen. B. H. Hill, lt. col. 5th artillery.
Huntsville, Ala.....		Bvt. Brig. Gen. T. H. Ruger, col. 33d infantry.
Mobile, Ala .....		Bvt. Lt. Col. J. D. Wilkins, maj. 33d infantry.
Montgomery, Ala.....		Bvt. Maj. G. M. Brayton, capt. 33d inf..
Charleston, S. C.....		Bvt. Lt. Col. G. A. Williams, maj. 6th infantry.
Columbia, S. C .....		Bvt. Brig. Gen. J. V. Bomford, col. 8th infantry.
Beaufort, S. C .....		Bvt. Major B. R. Perkins, capt. 12th infantry.
Goldsboro', N. C.....		Bvt. Lt. Col. C. E. Compton, maj. 40th infantry.
Fort Macon, N. C.....	On Bogue island, Beaufort harbor .....	Bvt. Col. F. L. Guenther, capt. 5th art.
Fort Johnson, N. C .....	At Smithville.....	First Lieut. W. A. Cameron, 5th art....
Atlanta, Ga .....	(Escort at department headquarters)...	Bvt. Maj. T. E. Maley, capt. 5th cav....
Total department of the South.....		

ADJUTANT GENERAL'S OFFICE, Washington, D. C., October 20, 1868.

department of the South, &c.—Continued.

Number of companies.	Garrisons.	Regiments.	Present.			Absent.							Present and absent.		
			Enlisted men.	Total commissioned.	Aggregate.	General and staff officers.	Regimental, field, and staff.	Captains.	Subalterns.	Enlisted men.	Total commissioned.	Aggregate.	Commissioned officers.	Enlisted men.	Aggregate.
...	...	Department staff .....	18	13	13	...	...	...	...	...	...	...	13	18	31
7	...	16th infantry and headquarters .....	444	17	461	...	1	2	5	65	8	73	25	509	534
2	...	12th and 16th infantry .....	101	5	106	...	...	1	2	13	3	16	8	114	122
1	...	16th infantry .....	59	2	61	...	...	...	1	7	1	8	3	66	69
1	...	16th infantry .....	42	2	44	...	...	...	1	26	1	27	3	68	71
2	...	7th infantry and headquarters .....	159	6	165	...	3	...	1	4	4	8	10	163	173
5	...	7th infantry .....	291	11	302	...	...	1	3	54	4	58	15	345	360
3	...	7th infantry .....	169	5	174	...	...	3	26	3	29	8	195	203	203
1	...	5th artillery .....	64	3	67	...	...	...	...	...	...	...	3	64	67
1	...	5th artillery .....	62	4	66	...	...	1	1	1	2	5	63	68	68
4	...	5th artillery .....	332	11	243	...	...	3	3	11	6	17	17	243	260
6	...	33d infantry and headquarters .....	310	18	328	...	1	1	1	29	3	32	21	339	360
2	...	33d infantry .....	104	5	109	...	...	2	...	11	2	13	7	115	122
2	...	33d infantry .....	84	4	88	...	...	...	2	16	2	18	6	100	106
6	...	6th infantry .....	338	13	351	...	...	5	3	22	8	30	21	360	381
10	...	8th infantry and headquarters .....	605	20	625	...	2	5	7	100	14	114	34	705	739
1	...	12th infantry .....	31	2	33	...	...	...	1	22	1	23	3	53	56
10	...	40th infantry and headquarters .....	707	26	733	...	2	3	6	42	11	53	37	749	786
1	...	5th artillery .....	65	2	67	...	...	...	2	6	2	8	4	71	75
1	...	5th artillery .....	69	2	71	...	...	1	2	4	3	7	5	73	78
2	...	5th cavalry .....	155	4	159	...	...	...	2	26	2	28	6	181	187
68	...	.....	4, 109	175	4, 284	...	9	26	46	485	79	564	254	4, 594	4, 848

E. D. TOWNSEND, Assistant Adjutant General.



G.—Position and distribution of the troops in the department of the Cumberland, commanded from the latest returns on file

Posts.	Commanding officers.	Garrisons.		Number of companies.	Regiments.	General officers.	Aides-de-camp to general officers.	Adjutant General's department.	Inspectors general.	Bureau of Military Justice.	Quartermasters' department.	Subsistence department.
Louisville, Ky.....	Bvt. Maj. Gen. S. W. Crawford, lieutenant colonel 2d infantry.	6	Department staff. . . . .	1	3	1	1	1	1	1	1	1
Jeffersonville, Ind.....	Bvt. Maj. D. W. Burke, captain 45th infantry.	2	2d inf'try and headquarters.									
Lexington, Ky.....	Bvt. Capt. James Butler, 1st lieutenant 2d infantry.	1	45th infantry . . . . .									
Bowling Green, Ky.....	Bvt. Capt. Thomas Byrne, 2d infantry . . . . .	1	2d infantry . . . . .									
Danville, Ky. . . . .	Bvt. Maj. G. H. McLoughlin, captain 2d infantry.	1	do. . . . .									
Cassville, W. Va. . . . .	Capt. F. E. Lacey, 2d infantry . . . . .	1	do. . . . .									
Union, W. Va. . . . .	Bvt. Lieut. Col. Joseph Conrad, captain 29th infantry.	1	29th infantry . . . . .									
Paducah, Ky. . . . .	Bvt. Col. P. T. Swaine, major 25th infantry.	2	25th infantry and headquarters.									
Memphis, Tenn.....	Bvt. Maj. F. A. Davies, captain 25th infantry.	4	25th infantry . . . . .									
Humboldt, Tenn.....	2d Lieut. Cass Durham, 25th infantry . . . . .	2	do. . . . .									
Union City, Tenn.....	Bvt. Maj. F. H. Torbett, captain 25th infantry.	1	do. . . . .									
Columbus, Ky.....	1st Lieut. Joseph M. Kennedy, 25th infantry.	1	do. . . . .									
Nashville, Tenn.....	Bvt. Col. G. A. Woodward, lieutenant colonel 45th infantry.	3	45th infantry and headquarters.									
Chattanooga, Tenn. . . . .	Bvt. Capt. L. J. Whiting, 2d lieutenant 45th infantry.	2	45th infantry . . . . .									
Columbia, Tenn.....	Bvt. Lieut. Col. F. E. Trotter, captain 45th infantry.	1	do. . . . .									
En route to department .	Bvt. Brig. Gen. G. P. Buell, lieutenant colonel 29th infantry.	9	29th infantry . . . . .									
Total department of the Cumberland.....		38				1	3	1	1	1	1	1

ADJUTANT GENERAL'S OFFICE, Washington, D. C., October 20, 1868.

by Major General George H. Thomas, United States army, headquarters at Louisville, Ky., taken in the Adjutant General's office.

Present.																	Absent.							Present and absent.						
Medical department.	Pay department.	Corps of engineers.	Ordnance department.	Post chaplains.	Military storekeepers.	Retired.	Colonels.	Lieutenant colonels.	Majors.	Regimental chaplains.	Captains.	Regimental adjutants.	Regimental quartermasters.	Regimental commissaries.	Reg'l quartermasters and commissaries.	Subalterns.	Enlisted men.	Total commissioned.	Aggregate.	General and staff officers.	Regimental field and staff.	Captains.	Subalterns.	Enlisted men.	Total commissioned.	Aggregate.	Commissioned officers.	Enlisted men.	Aggregate.	
1	1			1				1					1			8	2	321	6	8								6	2	8
											1					1	125	15	336		3	3	4	67	10	77	25	388	413	
																2	59	2	61			1		1	1	2	3	60	63	
											1					1	59	2	61				1	7	1	8	3	66	69	
											1						53	1	54				2	3	2	5	3	56	59	
											1						50	1	51				2	15	2	17	3	65	68	
											1					2	61	3	64					2		2	3	63	66	
									1		1	1				2	83	5	88		2	1	2	4	5	9	10	87	97	
											3					3	184	6	190	1		1	4	41	6	47	12	225	237	
																2	80	2	82			2	2	2	4	6	6	82	88	
											1					2	59	3	62					4		4	3	63	66	
																2	52	2	54			1			1	1	3	52	55	
								1		1	1	1				5	190	9	199			2	1	19	3	22	12	209	221	
																1	117	1	118			2	2	7	4	11	5	124	129	
											1						62	1	63				2	1	2	3	3	63	66	
								1	1	4						10	507	16	523				5	6	96	11	107	27	603	630
2				1				3	2	19	2	2				41	2,064	77	2,141	1	5	19	31	279	56	335	133	2,343	2,476	

E. D. TOWNSEND, Assistant Adjutant General.

H.—Position and distribution of the troops in the department of Louisiana, commanded by  
taken from the latest returns on

Posts.	Situation.	Commanding officer.	Garrisons.								
			Number of companies.	Regiments.	General officers.	Aides-de-camp to general officers.	Adjutant General's office.	Inspectors general.	Bureau of Militia, Justice.		
LOUISIANA.											
New Orleans ...	At department headqrs.	Bvt. Maj. T. C. Tupper, capt. 6th cavalry.	1	Dept. staff. .... 6th cavalry. ....	1	2					
ARKANSAS.											
Little Rock. ....		Bvt. Maj. Gen. C. H. Smith, col. 28th infantry.	6	5th art., 28th inf., and headqrs.							
Camden. ....		Captain H. M. Smith, 28th inf. .	2	28th infantry . .							
Washington. ....		Bvt. Col. C. C. Gilbert, lt. col. 7th infantry.	2	do . . . . .							
Pine Bluff. ....		Bvt. Lt. Col. R. V. Barnard, capt. 28th infantry.	1	do . . . . .							
Fort Smith. ....	On the Arkansas river, 8 miles from Van Buren.	Lt. Col. P. Lugenbeel, 19th inf.	6	19th inf. and headqrs.							
Batesville. ....		Bvt. Lt. Col. Wm. J. Lyster, capt. 19th infantry.	1	19th infantry . .							
Madison. ....		Bvt. Lt. Col. T. C. Williams, capt. 19th infantry.	1	do . . . . .							
Dover. ....		First Lieut. J. S. Wilson, 19th infantry.	1	do . . . . .							
Fayetteville. ....		Major A. E. Latimer, 19th inf. .	1	do . . . . .							
LOUISIANA.											
New Orleans ...		Bvt. Brig. Gen. W. M. Graham, capt. 1st artillery.	5	1st art. and 1st infantry.							
Jackson barr'ks. .	At New Orleans. ....	Lt. Col. Wm. H. Wood, 1st inf. .	5	1st inf. and headqrs.							
Forts Jackson & St. Philip. . . . .	On the Mississippi river, 70 miles below New Orleans.	Bvt. Lt. Col. Z. R. Bliss, maj. 39th infantry.	3	39th infantry . .							
Fort Pike. ....	On Petites Coquilles is'd.	Bvt. Lt. Col. G. Lawson, capt. 39th infantry.	3	do . . . . .							
Baton Rouge. ....		Bvt. Maj. Gen. George Sykes, col. 20th infantry.	5	20th inf. and headqrs.							
Shreveport. ....		Captain C. E. Farrand, 20th inf.	2	20th infantry . .							
Alexandria. ....		Bvt. Lt. Col. J. C. Bates, capt. 20th infantry.	1	do . . . . .							
New Iberia. ....		First Lieut. S. Weaver, 20th inf.	1	do . . . . .							
Lake Providence. .		Bvt. Maj. J. J. Hoff, capt. 20th infantry.	1	do . . . . .							
Amite. ....		Bvt. Maj. R. H. Offley, capt. 1st infantry.	1	1st infantry. . .							
MISSISSIPPI.											
Ship Island. ....		Bvt. Maj. Gen. J. A. Mower, col. 39th infantry.	4	39th inf. and headqrs.							
LOUISIANA.											
Grand Ecore. ....		Brevet Brigadier General N. B. McLanglin, capt. 4th cavalry.	1	4th cavalry. ....							
Monroe. ....		Bvt. Maj. W. W. Webb, capt. 4th cavalry.	1	do . . . . .							
Total department of Louisiana. ....			55		1	2					

*Brevet Major General L. H. Rousseau, United States army, headquarters at New Orleans, La., file in the Adjutant General's office.*

Present.														Absent.				Present and absent.														
Quartermaster's department.	Subsistence department.	Medical department.	Pay department.	Corps of engineers.	Ordnance department.	Post chaplains.	Military storekeepers.	Retired.	Colonels.	Lieutenant colonels.	Majors.	Regimental chaplains.	Captains.	Regimental adjutants.	Regimental quartermasters.	Regimental commissaries.	Reg'l quartermasters and commissaries.	Subalterns.	Enlisted men.	Total commissioned.	Aggregate.	General and staff officers.	Regimental, field, and staff.	Captains.	Subalterns.	Enlisted men.	Total commissioned.	Aggregate.	Commissioned officers.	Enlisted men.	Aggregate.	
1	1	2	2	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	34	9	9	1	1	1	25	1	26	9	3	59	9
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	462	18	480	2	1	5	14	8	22	26	476	508	
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	147	3	150	1	2	12	3	15	6	159	165			
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	131	5	136	1	1	2	2	4	7	133	149			
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	58	3	61	1	1	7	1	7	3	65	68			
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	395	11	406	1	2	5	11	8	19	19	406	425		
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	51	2	53	1	1	3	1	4	3	54	57			
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	63	2	65	1	1	3	1	4	3	66	69			
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	63	2	65	1	1	3	1	1	3	63	66			
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	57	4	61	1	1	2	1	3	5	59	64			
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	313	11	324	2	5	32	7	39	18	345	363			
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	276	8	284	1	3	8	23	12	35	20	299	319		
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	198	7	205	1	1	5	1	6	8	203	211			
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	191	7	198	1	1	8	1	9	8	199	207			
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	232	10	242	1	2	4	18	9	27	19	250	269		
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	126	2	128	1	2	5	3	8	5	131	136			
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	46	3	49	1	1	2	1	2	3	48	51			
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	60	1	61	1	1	1	2	3	3	61	64			
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	65	2	67	1	1	1	2	3	3	66	69			
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	61	2	63	1	1	4	1	5	3	65	68			
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	266	12	278	1	2	1	16	4	20	16	282	298		
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	55	2	57	1	1	9	1	9	2	64	66			
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	60	2	62	1	1	7	1	7	2	67	69			
3	1	6	2	1	1	1	1	1	4	3	2	1	37	5	5	5	5	5	58	3,410	130	3,540	1	7	18	41	210	67	277	197	3,620	3,817

## I.—Position and distribution of the troops in the first military district, commanded by Brevet from the latest returns on file

Posts.	Situation.	Commanding officers.	Garrisons.		General officers.	Aides-de-camp to general officers.	Adjutant General's department.	Inspectors general.	Bureau of Military Justice.
			Number of companies.	Regiments.					
Petersburg, Va. . . . .		Bvt. Lieut. Col. T. S. Dunn, capt. 21st infantry.	3	Department staff. 21st infantry . . . . .		2	1		1
Camp Grant, Va. . . . .	Richmond, Va. . . . .	Bvt. Col. D. Huston, jr., maj. 11th infantry.	6	11th infantry and headquarters.					
Camp Williams, Va. . . . .	do. . . . .	Bvt. Lieut. Col. H. A. Dupont, capt. 5th artillery.	1	5th artillery . . . . .					
Camp Terrell, Va. . . . .	do. . . . .	Bvt. Maj. W. F. Randolph, capt. 5th artillery.	1	do. . . . .					
Richmond, Va. . . . .		Bvt. Brig. Gen. H. S. Burton, col. 5th artillery.		Hdqrs. 5th art., and hdqrs. 21st infantry.					
Fredericksb'rg Va. . . . .		Bvt. Maj. R. L. Burnett, capt. 21st infantry.	1	21st infantry . . . . .					
Huguenot Springs, Va. . . . .		Capt. W. McC. Netterville, 21st infantry.	1	do. . . . .					
Lynchburg, Va. . . . .		Bvt. Maj. Gen. O. B. Wilcox, col. 29th infantry.	2	11th infantry and hdqrs. 29th inf.					
Norfolk, Va. . . . .		Bvt. Maj. H. E. Smith, capt. 21st infantry.	1	21st infantry . . . . .					
Williamsburg, Va. . . . .		Capt. Madison Earle, 21st inf. . . . .	1	do. . . . .					
Winchester, Va. . . . .		Bvt. Lieut. Col. W. S. Franklin, capt. 21st infantry.	1	do. . . . .					
Camp Hamilton, Va. . . . .	Near Ft. Monroe, Va. . . . .	Bvt. Maj. H. R. Putnam, capt. 21st infantry.	1	do. . . . .					
Farmville, Va. . . . .		2d Lieut. J. C. Currier, 21st inf. . . . .	1	do. . . . .					
Camp Wilcox, Va. . . . .	Lexington, Va. . . . .	Bvt. Capt. S. K. Mahon, 1st Lieut. 11th infantry.	1	11th infantry . . . . .					
Warrenton, Va. . . . .		1st Lieut. W. H. Vinal, 11th inf. . . . .	1	do. . . . .					
Total first military district. . . . .			22			2	1		1

ADJUTANT GENERAL'S OFFICE, Washington, D. C., October 20, 1868.

Major General George Stoneman, United States army, headquarters at Richmond, Va., taken in the Adjutant General's office.

Present.																				Absent.							Present and absent.													
Quartermasters' department.																				General and staff officers.							Commissioned officers.		Enlisted men.		Aggregate.									
Subsistence department.																				Regimental field and staff.							Captains.		Subalterns.		Enlisted men.		Total commissioned.		Aggregate.		Enlisted men.		Aggregate.	
Medical department.																				Captains.							Subalterns.		Enlisted men.		Total commissioned.		Aggregate.		Enlisted men.		Aggregate.			
Pay department.																				Enlisted men.							Total commissioned.		Aggregate.		Enlisted men.		Total commissioned.		Aggregate.		Enlisted men.		Aggregate.	
Corps of engineers.																				Total commissioned.							Aggregate.		Enlisted men.		Total commissioned.		Aggregate.		Enlisted men.		Aggregate.			
Ordnance department.																				Total commissioned.							Aggregate.		Enlisted men.		Total commissioned.		Aggregate.		Enlisted men.		Aggregate.			
Post chaplains.																				Total commissioned.							Aggregate.		Enlisted men.		Total commissioned.		Aggregate.		Enlisted men.		Aggregate.			
Military storekeepers.																				Total commissioned.							Aggregate.		Enlisted men.		Total commissioned.		Aggregate.		Enlisted men.		Aggregate.			
Retired.																				Total commissioned.							Aggregate.		Enlisted men.		Total commissioned.		Aggregate.		Enlisted men.		Aggregate.			
Colonels.																				Total commissioned.							Aggregate.		Enlisted men.		Total commissioned.		Aggregate.		Enlisted men.		Aggregate.			
Lieutenant colonels.																				Total commissioned.							Aggregate.		Enlisted men.		Total commissioned.		Aggregate.		Enlisted men.		Aggregate.			
Majors.																				Total commissioned.							Aggregate.		Enlisted men.		Total commissioned.		Aggregate.		Enlisted men.		Aggregate.			
Regimental chaplains.																				Total commissioned.							Aggregate.		Enlisted men.		Total commissioned.		Aggregate.		Enlisted men.		Aggregate.			
Captains.																				Total commissioned.							Aggregate.		Enlisted men.		Total commissioned.		Aggregate.		Enlisted men.		Aggregate.			
Regimental adjutants.																				Total commissioned.							Aggregate.		Enlisted men.		Total commissioned.		Aggregate.		Enlisted men.		Aggregate.			
Regimental quartermasters.																				Total commissioned.							Aggregate.		Enlisted men.		Total commissioned.		Aggregate.		Enlisted men.		Aggregate.			
Regimental commissaries.																				Total commissioned.							Aggregate.		Enlisted men.		Total commissioned.		Aggregate.		Enlisted men.		Aggregate.			
Reg'l quartermasters and commissaries.																				Total commissioned.							Aggregate.		Enlisted men.		Total commissioned.		Aggregate.		Enlisted men.		Aggregate.			
Subalterns.																				Total commissioned.							Aggregate.		Enlisted men.		Total commissioned.		Aggregate.		Enlisted men.		Aggregate.			
Enlisted men.																				Total commissioned.							Aggregate.		Enlisted men.		Total commissioned.		Aggregate.		Enlisted men.		Aggregate.			
Total commissioned.																				Aggregate.							General and staff officers.		Regimental field and staff.		Captains.		Subalterns.		Enlisted men.		Total commissioned.		Aggregate.	
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	196	7	200	7	2	3	8	5	13	7	204	7											
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	431	14	445	1	2	5	43	8	51	22	474	496											
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	128	2	130	1	2	2	7	2	9	4	135	139											
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	77	4	81	1	1	1	1	2	5	78	83												
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	9	5	14	1	1	1	1	1	5	9	14												
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	65	2	67	1	1	1	1	1	5	3	69	72											
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	61	2	63	1	1	1	1	1	1	2	62	64											
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	126	6	132	1	3	15	4	19	10	141	151												
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	75	1	76	1	1	3	1	4	2	78	80												
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	54	3	57	1	1	7	7	3	61	64													
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	75	3	78	1	1	1	1	1	3	75	78												
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	63	1	64	1	1	1	1	2	2	64	66												
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	70	1	71	1	1	2	2	4	3	72	75												
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	57	2	59	1	1	11	1	12	3	68	71												
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	55	2	57	1	1	9	1	10	3	64	67												
1	1	2	1	1	1	1	1	3	1	1	1	16	4	3	1	1	1	1,542	59	1,601	1	2	6	18	112	27	139	86	1,654	1,740										

E. D. TOWNSEND, Assistant Adjutant General.

K.—Position and distribution of the troops in the fourth military district, commanded by Bre the latest returns on file in

Posts.	Commanding officers.	Garrisons.	
		Number of companies.	Regiments.
MISSISSIPPI.			
Vicksburg .....	Bvt. Maj. L. Catlin, captain 24th infantry.....	5	Department staff.....
Jackson .....	Bvt. Lt. Col. James Biddle, captain 24th inf....	4	24th infantry and headqrs..
Natchez .....	Bvt. Col. N. A. M. Dudley, major 24th infantry..	2	5th cavalry and 24th inf....
Brookhaven .....	Second Lieut. G. G. Scott, 24th infantry.....	2	24th infantry .....
Grenada .....	Bvt. Maj. Gen. G. Pennypacker, col. 34th inf..	1	do .....
Columbus .....	Bvt. Maj. W. H. Bartholomew, capt. 34th inf..	4	34th infantry and headqrs..
Holly Springs .....	Bvt. Maj. John Power, captain 34th infantry...	2	34th infantry .....
Corinth .....	Bvt. Lt. Col. L. Wheaton, captain 34th inf....	2	do .....
Total fourth military district .....		22	

K.—Position and distribution of the troops in

Posts.	Commanding officers.	Garrisons.	
		Number of companies.	Regiments.
MISSISSIPPI.			
Vicksburg .....	Bvt. Maj. L. Catlin, captain 24th infantry.....	5	Department staff.....
Jackson .....	Bvt. Lt. Col. James Biddle, captain 24th inf....	4	24th infantry and headqrs..
Natchez .....	Bvt. Col. N. A. M. Dudley, major 24th infantry..	2	5th cavalry and 24th inf....
Brookhaven .....	Second Lieut. G. G. Scott, 24th infantry.....	1	24th infantry .....
Grenada .....	Bvt. Maj. Gen. G. Pennypacker, col. 34th inf..	4	do .....
Columbus .....	Bvt. Maj. W. H. Bartholomew, capt. 34th inf..	2	34th infantry and headqrs..
Holly Springs .....	Bvt. Maj. John Power, captain 34th infantry...	2	34th infantry .....
Corinth .....	Bvt. Lt. Col. L. Wheaton, captian 34th inf....	2	do .....
Total fourth military district .....		22	.....





L.—Position and distribution of the troops in the fifth military district, commanded by Brevet from the latest returns on file

Posts.	Situation.	Commanding officers.
TEXAS.		
Fifth military district, commanded by Bvt. Maj. Gen. J. J. Reynolds, col. 26th inf., headq'r's Austin, Texas..		Bvt. Col. E. Gay, major 17th infantry ....
Austin .....		Capt. George Lancaster, 17th infantry ....
Belton .....		Capt. E. Collins, 17th infantry .....
Brenham .....		Bvt. Col. E. C. Mason, captain 35th infantry.
Camp Concordia....	Four miles below Franklin, Texas.....	Bvt. Lieut. Colonel H. A. Ellis, captain 35th infantry.
Camp Verde.....	Seven miles above the mouth of Verde creek.	1st Lieut. Henry Norton, 17th infantry ....
Dallas .....		Maj. A. P. Morrow, 9th cavalry .....
Fort Clark .....	Three-quarters of a mile from the source of the Las Moras river.	Bvt. Lieut. Col. G. A. Gordon, major 4th cavalry.
Fort Concho.....	At the junction of the north and main Conchos.	Bvt. Maj. Gen. W. Merritt, lieutenant colonel 9th cavalry.
Fort Davis .....	On the Limpia river, 475 miles NW. of San Antonio.	Bvt. Col. W. R. Shafter, lieutenant colonel 41st infantry.
Fort Duncan .....	At Eagle Pass .....	Bvt. Col. S. B. Hayman, lieutenant colonel 17th infantry.
Fort Griffin .....	At Maxwell's ranch, Shackelford county.	Capt. D. M. Sells, 41st infantry.....
Fort Inge .....	Near the Leona river, in Uvalde county..	Bvt. Maj. P. E. Halcomb, cap'tain 35th infantry.
Fort Mason .....	On Llano river, 110 miles NW. of San Antonio.	Bvt. Lieut. Col. E. B. Beaumont, captain 4th cavalry.
Fort McKavett .....	On the San Saba river, in Menard county.	Bvt. Lieut. Col. G. A. Purrington, captain 9th cavalry.
Fort Quitman.....	On the Rio Grande, 80 miles below Franklin.	Bvt. Col. S. H. Starr, major 6th cavalry..
Fort Richardson ..	At Jacksboro' .....	Capt. George H. Gamble, 9th cavalry.....
Fort Stockton .....	At Camanche Springs.....	Bvt. Lieut. Col. G. H. Cram, captain 17th infantry.
Galveston .....		Capt. F. W. Bailey, 35th infantry.....
Indianola.....		Bvt. Brig. Gen. O. L. Shepherd, colonel 15th infantry.
Marshall .....		Bvt. Brig. Gen. J. S. Mason, major 35th infantry.
San Antonio.....		2d Lieut. J. H. Sands, 6th cavalry.....
Pilot Grove.....		Capt. T. M. Tolman, 6th cavalry.....
Sulphur Springs.....		Bvt. Maj. Gen. A. McD. McCook, lieutenant colonel 26th infantry.
Brownville .....		Capt. J. H. Bradford, 26th infantry.....
Ringgold Barracks..	At Rio Grande City.....	1st Lieut. C. F. Roe, 26th infantry.....
Point Isabel .....		2d Lieut. A. F. Bayard, 4th cavalry .....
Fort McIntosh.....	At Laredo .....	Capt. N. J. McCafferty, 4th cavalry .....
Lake Trinidad.....		Capt. T. M. K. Smith, 26th infantry .....
Woodland .....		Bvt. Maj. James Custis, captain 15th infantry.
Jefferson .....		1st Lieut. E. O. Gibson, 26th infantry.....
San Ignacio .....		
Total fifth military district.....		

*Major General J. J. Reynolds, United States army, headquarters at Austin, Texas, taken in the Adjutant General's office.*

Garrisons.		Present.													
Number of companies.	Regiments.	General officers. Aides-de-camp to general officers. Adjutant General's department. Inspector's general. Bureau of Military Justice. Quartermasters' department. Subsistence department. Medical department. Pay department. Corps of engineers. Ordnance department. Post chaplains. Military storekeepers. Retired. Colonels. Lieutenant colonels. Majors. Regimental chaplains. Captains. Regimental adjutants. Regimental quartermasters. Regimental commissaries. Reg'l quartermasters and commissaries. Subalterns.													
4	4th and 6th cavalry, 17th infantry	2		3	1	2						1			4
1	17th infantry												1		1
1	17th infantry												1		1
2	35th infantry												1		2
1	35th infantry												1		1
1	17th infantry												1		2
4	9th cavalry and 41st infantry												4		5
6	4th cavalry and headquarters, 17th and 35th infantry			1	1			1				1	2	1	5
5	9th cavalry and 41st infantry											1	1	1	5
3	9th cavalry and 41st infantry											1	1	1	4
4	6th cavalry, 17th infantry, and headquarters					1						1	2	1	5
1	41st infantry												1		1
1	35th infantry												1		1
4	4th cavalry and 35th infantry					1							3		4
3	9th cavalry and 41st infantry												3		2
6	6th cavalry and headquarters and 17th infantry					2							1	1	6
6	9th cavalry and headquarters and 41st infantry												3	1	5
2	17th infantry												1		2
1	35th infantry											1	1		1
9	15th infantry and headquarters											1	7	1	12
2	35th infantry and headquarters					1							1	1	2
1	6th cavalry														1
1	6th cavalry												1		1
5	4th cavalry, 1st artillery, 26th infantry, and headquarters			1	1							1	4	1	6
3	26th infantry					1							1	1	1
1	26th infantry														1
1	4th cavalry												1		2
1	4th cavalry												1		2
1	26th infantry												1		1
1	15th infantry												1		1
1	26th infantry														1
83		2		5	1	10				1		2	5	4	88

## L.—Position and distribution of the troops in

Posts.	Situation.	Commanding officers.
TEXAS.		
Fifth military district, commanded by Bvt. Maj. Gen. J. J. Reynolds, col. 26th inf., headq's Austin, Texas..		Bvt. Col. E. Gay, major 17th infantry ....
Austin .....		Capt. George Lancaster, 17th infantry ...
Belton .....		Capt. E. Collins, 17th infantry.....
Brenham .....		Bvt. Col. E. C. Mason, captain 35th infantry.
Camp Concordia....	Four miles below Franklin, Texas.....	Bvt. Lieut. Col. H. A. Ellis, captain 35th infantry.
Camp Verde.....	Seven miles above the mouth of Verde creek.	1st Lieut. Henry Norton, 17th infantry....
Dallas .....		Maj. A. P. Morrow, 9th cavalry.....
Fort Clark .....	Three-quarters of a mile from the source of the Las Moras river.	Bvt. Lieut. Col. G. A. Gordon, major 4th cavalry.
Fort Concho.....	At the junction of the north and main Conchos.	Bvt. Maj. Gen. W. Merritt, lieutenant colonel 9th cavalry.
Fort Davis .....	On the Limpia river, 475 miles NW. of San Antonio.	Bvt. Col. W. R. Shafter, lieutenant colonel 41st infantry.
Fort Duncan .....	At Eagle Pass .....	Bvt. Col. S. B. Hayman, lieutenant colonel 17th infantry.
Fort Griffin.....	At Maxwell's Ranch, Shackelford county.	Capt. D. M. Sells, 41st infantry.....
Fort Inge .....	Near the Leona river, in Uvalde county..	Bvt. Maj. P. E. Halcomb, captain 35th infantry.
Fort Mason .....	On Llano river, 110 miles NW. of San Antonio.	Bvt. Lieut. Col. E. B. Beaumont, captain 4th cavalry.
Fort McKavett ....	On the San Saba river, in Menard county.	Bvt. Lieut. Col. G. A. Purrington, captain 9th cavalry.
Fort Quitman .....	On the Rio Grande, 80 miles below Franklin.	Bvt. Col. S. H. Starr, major 6th cavalry..
Fort Richardson ..	At Jacksboro' .....	Capt. George H. Gamble, 9th cavalry ....
Fort Stockton .....	At Camanche Springs.....	Bvt. Lieut. Col. G. H. Cram, captain 17th infantry.
Galveston .....		Capt. F. W. Bailey, 35th infantry .....
Indianola.....		Bvt. Brig. Gen. O. L. Shepherd, colonel 15th infantry.
Marshall .....		Bvt. Brig. Gen. J. S. Mason, major 35th infantry.
San Antonio.....		2d Lieut. J. H. Sands, 6th cavalry.....
Pilot Grove.....		Capt. T. M. Tolman, 6th cavalry.....
Sulphur Springs ..		Bvt. Maj. Gen. A. McD. McCook, lieutenant colonel 26th infantry.
Brownsville .....		Capt. J. H. Bradford, 26th infantry.....
Ringgold Barracks..	At Rio Grande City.....	1st Lieut. C. F. Roe, 26th infantry.....
Point Isabel .....		2d Lieut. A. F. Bayard, 4th cavalry .....
Fort McIntosh .....	At Laredo.....	Capt. N. J. McCafferty, 4th cavalry.....
Lake Trinidad .....		Capt. T. M. K. Smith, 26th infantry.....
Woodland .....		Bvt. Maj. James Custis, captain 15th infantry.
Jefferson .....		1st Lieut. E. O. Gibson, 26th infantry.....
San Ignacio .....		
Total fifth military district .....		

the fifth military district, &c.—Continued.

Garrison.		Present.		Absent.				Present and absent.				
Number of companies.	Regiments.	Enlisted men.	Total commissioned.	Aggregate.	General and staff officers.		Enlisted men.	Total commissioned.	Aggregate.	Commissioned officers.	Enlisted men.	Aggregate.
					Regimental, field, and staff officers.	Captains.						
4	4th and 6th cavalry, 17th infantry.....	200	7	207	2	4	56	6	62	7	256	270
1	17th infantry.....	60	2	62	1		1	1	2	3	61	64
1	17th infantry.....	50	2	52			1		1	2	51	53
2	35th infantry.....	143	3	146	1	2	9	3	12	6	152	158
1	35th infantry.....	68	2	70			4		4	2	72	74
1	17th infantry.....	43	2	45	1		15	1	16	3	58	61
4	9th cavalry and 41st infantry.....	260	10	270		2	20	2	22	12	280	292
6	4th cavalry and headquarters, 17th and 35th infantry.	245	13	258	4	4	5	175	13	188	26	420
5	9th cavalry and 41st infantry.....	338	7	345	4	3	46	7	53	14	384	398
3	9th cavalry and 41st infantry.....	188	8	196	3	2	1	13	6	19	14	201
4	6th cavalry, 17th infantry, and headquarters.	168	10	178	2	2	3	47	7	54	17	215
1	41st infantry.....	55	2	57		1	1	1	2	3	56	59
1	35th infantry.....	66	2	68		1	3	1	4	3	69	72
4	4th cavalry and 35th infantry.....	211	8	219	1	4	42	5	47	13	253	266
3	9th cavalry and 41st infantry.....	148	5	153		2	42	2	44	7	190	197
6	6th cavalry and headquarters and 17th infantry.	205	10	215	3	5	4	108	12	120	22	313
6	9th cavalry and headquarters and 41st infantry.	284	10	294	4	3	3	144	10	154	20	428
2	17th infantry.....	97	3	100	1	1	16	2	18	5	113	118
1	35th infantry.....	56	2	58		1	5	1	6	3	61	64
9	15th infantry and headquarters.....	511	23	534	1	2	4	44	7	51	30	555
2	35th infantry and headquarters.....	110	6	116	2	2	2	34	6	40	12	144
1	6th cavalry.....	34	1	35	1	1	20	2	22	3	54	57
1	6th cavalry.....	30	2	32		1	17	1	18	3	47	50
5	4th cavalry, 1st cavalry, 26th infantry, and headquarters.	356	14	370	1	1	4	22	6	28	20	378
3	26th infantry.....	134	4	138	2	3	37	5	42	9	171	180
1	26th infantry.....	53	1	54	1	1	9	2	11	3	62	65
1	4th cavalry.....	58	1	59	1	1	22	2	24	3	80	83
1	4th cavalry.....	55	3	58			20		20	3	75	78
1	26th infantry.....	72	3	75						3	72	75
1	15th infantry.....	57	2	59		1		1	1	3	57	60
1	26th infantry.....	25	1	26	1	1	31	2	33	3	56	59
83		4,380	177	4,557	20	37	1,004	114	1,118	291	5,384	5,675

E. D. TOWNSEND, Assistant Adjutant General.

M.—Statement of the number of enlistments and re-enlistments in the regular army from September 20, 1867, to October 1, 1868, compiled from reports forwarded to this office by recruiting officers.

Arm of service.	Total.	Arm of service.	Total.
General service.....	5,742	Seventeenth United States infantry.....	18
Veteran Reserve Corps.....	333	Eighteenth United States infantry.....	6
General service, military division of the Pacific.....	372	Nineteenth United States infantry.....	32
Mounted service.....	2,547	Twentieth United States infantry.....	92
First United States cavalry.....	13	Twenty-first United States infantry.....	36
Second United States cavalry.....	14	Twenty-second United States infantry.....	9
Third United States cavalry.....	52	Twenty-third United States infantry.....	10
Fourth United States cavalry.....	31	Twenty-fourth United States infantry.....	80
Fifth United States cavalry.....	135	Twenty-fifth United States infantry.....	221
Sixth United States cavalry.....	58	Twenty-sixth United States infantry.....	12
Seventh United States cavalry.....	70	Twenty-seventh United States infantry.....	5
Eighth United States cavalry.....	59	Twenty-eighth United States infantry.....	53
Ninth United States cavalry.....	141	Twenty-ninth United States infantry.....	55
Tenth United States cavalry.....	270	Thirtieth United States infantry.....	7
First United States artillery.....	208	Thirty-first United States infantry.....	.....
Second United States artillery.....	163	Thirty-second United States infantry.....	.....
Third United States artillery.....	95	Thirty-third United States infantry.....	44
Fourth United States artillery.....	174	Thirty-fourth United States infantry.....	28
Fifth United States artillery.....	83	Thirty-fifth United States infantry.....	12
First United States infantry.....	95	Thirty-sixth United States infantry.....	8
Second United States infantry.....	129	Thirty-seventh United States infantry.....	9
Third United States infantry.....	24	Thirty-eighth United States infantry.....	3
Fourth United States infantry.....	15	Thirty-ninth United States infantry.....	129
Fifth United States infantry.....	38	Fortieth United States infantry.....	50
Sixth United States infantry.....	44	Forty-first United States infantry.....	46
Seventh United States infantry.....	45	Forty-second United States infantry.....	61
Eighth United States infantry.....	33	Forty-third United States infantry.....	58
Ninth United States infantry.....	118	Forty-fourth United States infantry.....	174
Tenth United States infantry.....	30	Forty-fifth United States infantry.....	209
Eleventh United States infantry.....	95	Corps of engineers.....	298
Twelfth United States infantry.....	127	Ordnance department.....	551
Thirteenth United States infantry.....	7	Military Academy.....	97
Fourteenth United States infantry.....	9	Artillery school.....	11
Fifteenth United States infantry.....	96	Brigade bands.....	18
Sixteenth United States infantry.....	43	Aggregate.....	14,010

E. D. TOWNSEND, Assistant Adjutant General.

ADJUTANT GENERAL'S OFFICE, Washington, D. C., Oct. 20, 1868.

N.—Statement of the number of men who have deserted from the army during the period from September 20, 1867, to October 1, 1868; also the number who have been apprehended or have surrendered from desertion, the number tried, escaped, restored to duty without trial, &c., during the same period.

Regiments.	Number of desertions.	Apprehended or surrendered.	Tried.	Undergoing sentence.	Awaiting trial.	Escaped.	Restored to duty without trial.	Amount paid as reward.
First United States cavalry.....	159	96	45	24	28	18	20	\$1,470
Second United States cavalry.....	450	108	44	13	25	39	11	1,140
Third United States cavalry.....	200	69	18	8	25	16	5	600
Fourth United States cavalry.....	105	52	25	17	14	14	4	750
Fifth United States cavalry.....	357	124	97	28	25	39	5	2,250
Sixth United States cavalry.....	156	68	30	16	20	22	8	840
Seventh United States cavalry.....	457	135	85	44	50	42	19	1,830
Eighth United States cavalry.....	481	113	92	34	40	37	13	1,890
Ninth United States cavalry.....	43	18	1	.....	14	2	2	210
Tenth United States cavalry.....	147	68	48	32	14	9	2	840
First United States artillery.....	279	93	66	19	18	20	6	960
Second United States artillery.....	152	100	71	22	16	10	4	2,100
Third United States artillery.....	374	67	43	13	14	12	5	1,110
Fourth United States artillery.....	381	116	75	15	20	9	5	1,410
Fifth United States artillery.....	166	55	35	8	14	13	1	1,060
First United States infantry.....	180	44	34	6	3	15	1	750

N.—Statement of the number of men who have deserted from the army, &amp;c.—Continued.

Regiments.	Number of desertions.	Apprehended or surrendered.	Tried.	Undergoing sentence.	Awaiting trial.	Escaped.	Restored to duty without trial.	Amount paid as re-wards.
Second United States infantry.....	135	60	35	16	7	18	1	\$1,290
Third United States infantry.....	116	40	20	11	14	6	.....	300
Fourth United States infantry.....	216	79	46	10	11	23	17	1,080
Fifth United States infantry.....	157	41	38	10	6	7	1	450
Sixth United States infantry.....	63	60	57	14	5	3	.....	1,170
Seventh United States infantry.....	122	41	17	8	6	9	8	390
Eighth United States infantry.....	119	40	26	15	7	11	2	540
Ninth United States infantry.....	212	105	33	4	32	30	19	1,800
Tenth United States infantry.....	42	24	21	7	.....	5	2	240
Eleventh United States infantry.....	108	51	27	5	16	13	4	1,050
Twelfth United States infantry.....	191	70	49	7	4	20	2	1,200
Thirteenth United States infantry.....	126	66	46	12	15	19	3	750
Fourteenth United States infantry.....	144	109	73	22	17	35	10	2,190
Fifteenth United States infantry.....	150	78	33	10	17	24	3	1,230
Sixteenth United States infantry.....	170	81	65	20	10	26	4	1,050
Seventeenth United States infantry.....	146	91	46	34	15	27	4	1,740
Eighteenth United States infantry.....	137	56	27	9	18	15	6	870
Nineteenth United States infantry.....	70	45	35	15	7	17	2	810
Twentieth United States infantry.....	116	47	35	12	18	5	3	660
Twenty-first United States infantry.....	80	43	42	8	5	21	3	450
Twenty-second United States infantry.....	56	20	7	1	9	3	11	330
Twenty-third United States infantry.....	71	48	22	15	12	7	6	990
Twenty-fourth United States infantry.....	180	76	61	14	10	13	5	1,200
Twenty-fifth United States infantry.....	185	50	28	9	13	11	5	810
Twenty-sixth United States infantry.....	95	40	16	8	22	13	6	540
Twenty-seventh United States infantry.....	128	60	20	2	27	15	2	690
Twenty-eighth United States infantry.....	87	32	17	3	6	15	2	360
Twenty-ninth United States infantry.....	116	46	30	6	11	9	2	690
Thirtieth United States infantry.....	220	54	30	5	13	25	14	990
Thirty-first United States infantry.....	106	50	26	4	20	14	11	360
Thirty-second United States infantry.....	53	65	49	20	9	6	7	1,260
Thirty-third United States infantry.....	138	42	30	14	6	12	3	570
Thirty-fourth United States infantry.....	113	44	29	16	11	11	1	690
Thirty-fifth United States infantry.....	110	51	26	5	16	19	5	750
Thirty-sixth United States infantry.....	198	57	35	5	10	20	20	1,620
Thirty-seventh United States infantry.....	261	81	47	20	15	35	2	1,530
Thirty-eighth United States infantry.....	66	41	24	10	10	8	3	720
Thirty-ninth United States infantry.....	54	13	9	3	4	.....	3	150
Fortieth United States infantry.....	42	15	16	6	4	8	1	210
Forty-first United States infantry.....	31	16	9	6	6	4	1	180
Forty-second United States infantry.....	111	42	29	8	13	5	2	690
Forty-third United States infantry.....	186	42	23	7	9	5	3	360
Forty-fourth United States infantry.....	92	33	23	1	6	9	3	240
Forty-fifth United States infantry.....	223	35	15	6	16	11	.....	660
General service.....	740	164	126	27	25	28	4	2,100
Mounted service.....	235	48	33	.....	10	5	19	1,260
Engineer battalion.....	194	48	39	4	12	14	3	870
Ordnance department.....	136	31	17	4	5	2	.....	480
Total.....	10,939	3,895	2,416	777	900	978	349	59,770
Similar totals last year.....	13,608	2,998	1,524	909	1,314	369	938	42,840

NOTE.—Under the head of "restored to duty," &c., the great difference is accounted for by the fact that the number reported under that head in last report included all men restored whether before or after trial, (but not those acquitted, however,) and including men who had served greater or less portions of their sentences. The report this year shows only those restored to duty before being brought to trial.

E. D. TOWNSEND, Assistant Adjutant General.

ADJUTANT GENERAL'S OFFICE, Washington, D. C., Oct. 20, 1868.

[General Orders, No. 32.]

HEADQUARTERS DEPARTMENT OF THE COLUMBIA,  
*Portland, Oregon, November 1, 1867.*

I. The brevet major general commanding the department deems it proper that the following exploits of the troops in this department should receive special mention:

December 1, 1866, First Sergeant Thomas W. Connor, with a detachment of 19 men of company I, 1st cavalry, was sent out from Camp Watson to pursue a band of Indians who had stolen a pack train belonging to citizens.

They overtook them on the third day, charged them, killed 14 Indians and captured five women and children, besides 17 mules and 11 horses. They also recovered the stolen pack train and returned to camp on the 8th of December, having marched 180 miles.

October 13, 1866, Brevet Lieutenant Colonel R. F. O'Beirne, 32d infantry, with a mounted detachment of company E, 23d infantry, left Camp Three Forks, Owyhee, I. T., on a scout through the Malheur country. October 30, he attacked their camp, killing two, severely wounding three, who were carried off during the fight, and capturing one Indian, three squaws, four children, 38 horses, two mules, an ox, and a large amount of ammunition and camp equipage. Our loss was two men wounded, one severely.

January 3, 1867, Brevet Major General George Crook, with company F, 1st cavalry, under Brevet Major Perry, while on a scout through the Malheur country, came upon a band of 40 Indians. He immediately charged and routed the Indians, capturing 30 prisoners and scattering the rest. The number of killed and wounded could not be ascertained.

On the 21st of January, with company M, 1st cavalry, under Brevet Major Hunt, General Crook left Camp Lyon on a scout down the Owyhee river. He surrounded a camp of the hostile Snakes on the 28th of January, and attacked at once, killing 60 and taking 27 prisoners and 12 horses. Only two Indians and two squaws escaped. During the engagement one citizen was killed and three enlisted men wounded.

January 6, 1867, the detachment of Indian scouts, under interpreters Darragh and McKay, made a successful scout in the vicinity of Crooked river, killed 26 Indians, captured eight children, two mules, one horse, one rifle, and a considerable amount of ammunition. Our casualties were one man severely wounded and two horses wounded.

March 19, 1867, Lieutenant C. B. Western, 14th infantry, with a detachment of seven men of company F, 8th cavalry, left Camp Logan on a scout. On the 28th of March he attacked an Indian camp, capturing three oxen and about 2,000 pounds of jerked beef, which he destroyed. His supplies giving out, he was compelled to return to camp on the 2d of April. On the 20th of April, with a detachment of 13 men of the same company, Lieutenant Western started out to punish a band of hostile Indians who had been committing depredations near Cañon City. He struck their trail April 24, and followed it two days, when he found himself unable to proceed further with his pack train. Leaving one man with the train and taking three days' rations, he pushed forward and discovered their camp on the morning of the 27th, on the opposite side of Silvie's river. Leaving three men to hold the horses, the rest of the detachment, 10 in number, waded across the river, the water being neck deep, and charged the camp, numbering between 40 and 50 Indians, about 20 or 25 of them being warriors. After the fight only six dead Indians were found. A number of them are known to have been killed

or severely wounded, but were carried off during the fight. A number of wounded were also drowned in attempting to cross the river. Lieutenant Western captured 32 horses and all their camp equipage and supplies, including one and one-half tons of camas root, which was destroyed.

June 19, 1867, Archie McIntosh, chief scout, with a detachment of 14 Indian scouts, attacked a camp of Snake Indians near Stein's mountain, killed 12 Indians, wounded one and captured two.

July 13, 1867, Lieutenant G. A. Goodale, company K, 23d infantry, with a mounted detachment of 50 men, attacked a band of Snake Indians on the south fork of the Malheur river, killed six, wounded one and captured two Indians, besides three horses and one mule. He lost one man during the engagement.

July 27, 1867, Brevet Major General George Crook, with detachments of companies F, M, and H, 1st cavalry, while scouting between Camp C. F. Smith and Camp Harney, attacked a band of Indians and killed and captured 46 of them, besides a number of horses.

June 24, 1867, Brevet Lieutenant Colonel E. M. Baker, with a detachment of company I, 1st cavalry, started from Camp Watson on a scout against the Snake Indians in the Harney Lake country. He succeeded in killing four and capturing 22 Indians and two horses, and returned to camp July 24, having marched a distance of 700 miles without the loss of a single horse.

September 9, 1867, Lieutenant J. F. Small, company A, 1st cavalry, with a detachment of 50 men, while scouting near Silver lake, came upon and charged an Indian camp, killing 24 and capturing 14 Indians. He lost one man killed and two wounded, besides one horse killed and seven wounded.

October 3, 1867, Lieutenant James Pike, 1st cavalry, with a detachment of seven men of company F, 8th cavalry, was sent out from Camp Logan, at his own request, to chastise a band of hostile Indians who had been committing depredations near the camp.

He came upon them on the morning of the 4th, and with reckless daring charged their camp. The Indians escaped through the low underbrush, and it was impossible to tell what losses they had sustained. In destroying some old rifles found in the camp, one of them exploded, lodging a ball in the left thigh of Lieutenant Pike, and inflicting a dangerous wound. He was brought back to camp, and after lingering in great suffering died on the morning of the 14th instant.

Lieutenant Pike was a valuable officer, and one who had rendered very efficient service during the past war. His loss is deeply regretted.

September 26, 1867, Brevet Major General George Crook, with company H, 1st cavalry, under Lieutenant J. H. Parnell; company D, 23d infantry, under Lieutenant John Madigan, 1st cavalry, and Archie McIntosh, with his Boise scouts, while scouting through the Pitt river country came upon a large band of hostile Indians, who were intrenched within forts made of stone, situated upon a high and almost inaccessible ledge of rocks on south fork of Pitt river. Lieutenant Parnell was ordered to ascend the bluff on the south and attack, in connection with the scouts, while Lieutenant Madigan was ordered to attack from the other side. In the charge Lieutenant Parnell lost two killed and three wounded by the first volley. Darkness coming on, the troops were withdrawn and placed so as to prevent the escape of the Indians. The next day, 27th, just after daylight a charge was made and the main forts scaled under a perfect hail of bullets. The Indians disappeared in the crevices and almost impenetrable caverns in the rocks, and soon after a number reappeared a considerable distance from the forts, having



escaped by the subterranean passages leading from them. Some 20 dead Indians were found, and the rocks were crimsoned with the blood of many others. A large number of the wounded hid away in the deep caverns and could not be found. In the second day's charge Lieutenant John Madigan, 1st cavalry, and two enlisted men were killed, and eight enlisted men and one citizen wounded. During the night of the 27th the troops remained around the enemy, but the Indians crawled through the rocks underneath our men, leaving their wounded and even some of their guns behind, so great was their demoralization.

The conduct of both officers and men was gallant in the extreme, and the victory a brilliant one, although purchased at so dear a price. Lieutenant Madigan was a young officer of great promise, and his loss is most deeply lamented. He fell at the head of his men while gallantly leading the charge.

II. The above are but a few of the many successful scouts which have been made by the troops in this department during the past year, and the brevet major general commanding wishes to express his thanks to the officers and men engaged therein for the energy and perseverance, and in many cases for the gallantry displayed in the pursuit and destruction of the hostile Indians.

By order of Brevet Major General F. Steele:

RICHARD P. STRONG,

*First Lieutenant 7th Infantry, Aide-de-Camp, A. A. A. G.*

Official:

GEORGE W. WILLIAMS,

*Brevet Major U. S. Army, A. D. C.*

[General Orders No. 40.]

HEADQUARTERS DISTRICT OF TEXAS,

*Austin, Texas, November 21, 1867.*

The brevet major general commanding takes pleasure in commending the energy and courage displayed by Sergeant W. A. F. Ahrberg, company L, 6th United States cavalry, and the detachment under his command, in their recent encounter with a party of Comanche Indians, whereby three Indians were killed, one captured, 19 animals and some arms recovered, and the Indians completely routed.

By command of Brevet Major General J. J. Reynolds:

C. E. MORSE,

*1st Lieut. 26th Infantry, A. A. A. G.*

Official:

C. E. MORSE,

*Acting Assistant Adjutant General.*

[General Orders No. 16.]

HEADQUARTERS DEPARTMENT OF THE MISSOURI,

*Fort Leavenworth, Kansas, May 20, 1868.*

The major general commanding the department is pleased to notice the gallant and meritorious conduct displayed by Sergeant Edward Glass, 3d United States cavalry, and four enlisted men of company H, 3d United States cavalry, while patrolling the Rio Tulurosa, New Mexico, in resisting and finally repelling an attack made upon them by a body of Indians numbering about 200.

The persistent energy of Sergeant Glass in returning and renewing the fight, after having twice been driven from his position by superior numbers, resulting in the final defeat of the Indians, who suffered a loss of 10 killed and many wounded, was very creditable, and is warmly commended.

Great praise is also due to those citizens of Tulurosa who volunteered and rendered such prompt and efficient aid on this occasion.

By command of Major General Sheridan:

CHAUNCEY MCKEEVER,  
*Assistant Adjutant General.*

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[General Orders No. 28.]

HEADQUARTERS DEPARTMENT OF CALIFORNIA,  
*San Francisco, California, May 20, 1868.*

The general commanding the department takes pleasure in commending Lieutenant Pendleton Hunter, 8th United States cavalry, Sergeant Kelly and Privates Ward and Reid, company A, 8th United States cavalry, for coolness and gallantry under trying circumstances in a recent Indian fight near Camp Winfield Scott, Nevada, in which Lieutenant Hunter—although badly wounded in several places—with Private Reid, kept at bay, for several hours, 17 Indians, and protected their wounded comrades until assistance arrived. Special mention is made of the conduct of Private Reid.

By command of Brevet Major General Ord:

JOHN P. SHERBURNE,  
*Assistant Adjutant General.*

Official:

JOHN P. SHERBURNE,  
*Assistant Adjutant General.*

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[General Field Orders No. 2.]

HEADQUARTERS DEPARTMENT OF THE MISSOURI,  
*In the Field, Fort Hays, Kansas, October 1, 1868.*

The major general commanding calls the attention of the officers and soldiers of his command to the following record of some of the engagements and pursuits during the present Indian campaign, and desires to express his thanks and high appreciation of the gallantry, energy and bravery displayed by those engaged therein:

I. The affair on Arriekaree fork of the Republican river, September 17, 1868, where a party of 47 scouts under the command of Brevet Colonel George A. Forsyth, major 9th cavalry, acting assistant inspector general of the department, and 1st Lieutenant Frederick H. Beecher, 3d infantry, defended themselves against about 600 Indians for eight days, successfully repulsing several charges and inflicting a loss upon the savages of over 75 killed and wounded; in which Lieutenant Beecher, Doctor Mooers and three others were killed, and 15 wounded; all their stock killed, and the party obliged to live on horse-flesh during this time.

II. The affair on Big Sandy creek, Colorado Territory, in which company I, 10th cavalry, under the command of Captain G. W. Graham and Lieutenant Amick, defended themselves against the attack of about 100 Indians, losing a large number of horses killed and wounded, and afterwards pursuing the Indians, killing 11 and capturing a number of of their ponies.

III. The rapid preparation, pursuit and attack made by Brevet Brigadier General W. H. Penrose, captain 3d infantry, commanding Fort Lyon, Colorado Territory, and 1st Lieutenant Henry H. Abell, 7th cavalry, with a detachment of troop L, 7th cavalry, on September 8, 1868, in which they pursued a party of Indians who had driven off stock, killing four of their number and recapturing the stock, having travelled, on their return to their camp, 120 miles in 26 hours.

IV. The defence made, after three of their number had been severely wounded, by Corporal James Goodwin, troop B, 7th cavalry, Privates John O'Donnell, company A, Charles Hartman, company H, and C. Tolan, company F, 3d infantry, against 50 Indians on Little Coon creek, Kansas, on September 2, 1868, and the voluntary assistance given by Corporals Patrick Boyle, troop B, 7th cavalry, and Leander Herron, company A, 3d infantry, mail carriers, who happened to be passing.

V. The attack made on an Apache Indian camp in the Hatchet mountains, New Mexico, August 27, 1868, by a detachment of the 38th infantry, under command of Brevet Major Alex. Moore, captain 38th infantry, wherein three Indians were killed and many wounded, and a large amount of property destroyed and animals captured.

By command of Major General Sheridan:

J. SCHUYLER CROSBY,  
*Acting Assistant Adjutant General.*

[General Orders No. 13.]

HEADQUARTERS FIFTH MILITARY DISTRICT,  
(STATE OF TEXAS),  
*Austin, Texas, October 5, 1868.*

The brevet major general commanding has the pleasure of announcing to the command the following successful expeditions against Indians, viz:

An expedition under Captain A. R. Chaffee, 6th cavalry, consisting of five officers and 62 non-commissioned officers and privates, 6th cavalry, which resulted in the killing of seven Comanche Indians, the capture of five horses, a quantity of Indian war material, and the total breaking up of their camp, at a point near Paint creek, in northeastern part of the State of Texas, in March, 1868.

An expedition under First Lieutenant Patrick Cusack, 9th cavalry, consisting of 60 non-commissioned officers and privates, 9th cavalry, and a party of volunteer Mexicans, had an engagement with about 200 Indians, which resulted in the killing of 25 and wounding as many more, capturing their entire herd, consisting of 198 animals, destroying their camp and winter supplies, at a point near Horse Head Hills, about 80 miles southeast of Fort Davis, in September, 1868.

An expedition under Sergeant Charles Gale, company D, 4th cavalry, with five enlisted men of same company, on a scout after horses stolen from near the post of Fort Concho, in which they killed one Indian and recovered the stolen horses, in March, 1868.

By command of Brevet Major General J. J. Reynolds:

C. E. MORSE,

*1st Lieut, 26th U. S. Infantry, Aide-de-Camp, A. A. A. G.*

Official:

C. E. MORSE,

*1st Lieut, 26th U. S. Infantry, Aide-de-Camp, A. A. A. G.*

[General Field Orders No. 4.]

HEADQUARTERS DEPARTMENT OF THE MISSOURI,  
*In the Field, Fort Hays, Kansas, October 27, 1868.*

The attention of the officers and soldiers of this department is called to the engagement with hostile Indians on Beaver creek, Kansas, October 18, 1868, in which a detachment of cavalry, (escorting Brevet Major General E. A. Carr, major 5th cavalry, to his regiment,) under the command of Brevet Lieutenant Colonel Louis H. Carpenter, captain 10th cavalry, consisting of companies I, 10th cavalry, under Captain George W. Graham and First Lieutenant Myron J. Amick, and H, 10th cavalry, under First Lieutenant Charles Banzhaf, and Second Lieutenant Louis H. Orleman, engaged about 500 Indians for several hours, inflicting a loss on the savages of 10 killed and many wounded, losing three enlisted men wounded.

The major general commanding desires to tender his thanks for the gallantry and bravery displayed by this small command against so large a body of Indians.

By command of Major General Sheridan.

J. SCHUYLER CROSBY,  
*Brevet Lieutenant Colonel, Aide-de-Camp,  
Acting Assistant Adjutant General.*

# REPORT

OF

## THE INSPECTOR GENERAL.

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WAR DEPARTMENT,  
INSPECTOR GENERAL'S OFFICE,  
*Washington, October 19, 1868.*

SIR: The following report of the inspection branch of the military service is respectfully submitted for the information of the Secretary of War:

The stations and employments of the inspectors general and of the assistant inspectors general during the past year have been as follows:

Inspector General R. B. Marcy has been on duty at the headquarters of the military division of the Missouri. He has had supervision of the inspection branch of the service in that extensive division, and has made inspections in the west and northwest, with important results to the efficiency of the service and the economical administration of the public resources.

Inspector General D. B. Sacket has been stationed at the headquarters of the department of the Cumberland. During the year he has made two thorough inspections of the department, and reports decided improvement in the discipline and efficiency of the troops and the satisfactory management of the administrative branches of the service within his field of duty. He has been transferred to the headquarters of the division of the Atlantic.

Inspector General Edmund Schriver has been on duty during the year as inspector of the Military Academy, a report of which service will be made separately. He has been in charge also of the Inspector General's office in the War Department; in addition to which he has performed special duties in the office of the Secretary of War.

Inspector General James A. Hardie, detailed for inspection duty at the headquarters of the army, has been necessarily continued during the past year in the investigation of claims arising from the war. He is presiding member of the board of claims in the War Department. It is designed, however, to relieve him as soon as his services can be dispensed with, and to assign him to the charge of the inspection service on the Pacific coast.

Assistant Inspector General N. H. Davis, having been on continued service in the district of New Mexico for several years, has been permitted to avail himself of a leave of absence during a portion of this year. He has now returned to his post at Santa Fé, in the department of New Mexico.

Assistant Inspector General James Totten has been stationed at the headquarters of the department of the East, and has made thorough and critical inspections of the military stations within the department, and such special investigations as have been assigned to him.

Assistant Inspector General Roger Jones has been stationed at the

headquarters of the military division of the Pacific, and has performed extended inspection services in Alaska, Oregon, Nevada, and California.

Assistant Inspector General Absalom Baird has been on duty in the department of the Lakes during the greater portion of the year. He has been recently ordered to report to Inspector General Marey, at St. Louis, for duty in the west, and has been assigned by that officer to the department of Dakota, whither he has reported.

Assistant Inspector General E. H. Ludington has been on duty at the headquarters of the second military district, and has made frequent inspection of the troops and stations within that district. He has been assigned to duty in the department of the South.

The number of officers of the regular organization of the inspection service having been found entirely insufficient for the requirements of the army, details have been made of regimental officers as acting inspectors to supply the deficiency. During the year from 20 to 23 officers have been so employed. Their services have proved valuable and have been attended with good results.

Through the agencies above described the whole army, with the exception of the special branches otherwise provided for, has been inspected thoroughly during the year—all at least once, and much of it several times; besides which numerous special investigations have been made, from time to time, as circumstances called for them.

As may have been anticipated, the result has been an evident improvement in the discipline and efficiency of the troops and the promotion of economy and carefulness in the disposition of the public moneys and property.

Inspections have been found indispensable to the successful management of military establishments at home and abroad, and the conviction of their usefulness is everywhere strengthening. Not limited to the detection of insufficiencies and irregularities, and to their disclosure to the superior authorities for their remedial action, (a sphere of usefulness in itself extensive enough to give the inspection department a high place as a part of the military system,) inspections have the direct advantage of stimulating exertion, preventing irregularities in conduct, laxity in discipline, and abuse of the public means, and they elevate the standard of discipline, instruction and conduct, to the great advancement of the end for which the military establishment is designed.

Duties so important and varied, and requiring capability, judgment, and habits of observation, call for officers of training and experience. As before observed, the present number of inspectors general and assistants is in itself inadequate to the obvious wants of the service, and it has been found necessary to detail officers from the line. To perfect this system of details as far as practicable it has been thought advisable to confine the selections to the grade of field officers who shall have served not less than ten years, and who shall be deemed best fitted for the service; the nominations to be made by the commanders of divisions and departments, and the selection by the Secretary of War or by the General commanding the army. It is hoped that this mode of detail will bring to the inspection service a sufficiency of officers properly suited therefor, and will obviate the necessity, at least for the present, of an increase of the regular organization.

Respectfully submitted.

ED. SCHRIVER,  
*Inspector General.*

*The ADJUTANT GENERAL of the Army.*

# REPORT

OF

## THE JUDGE ADVOCATE GENERAL.

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WAR DEPARTMENT,  
*Bureau of Military Justice, October 1, 1868.*

GENERAL: In compliance with the direction of the Secretary of War, as communicated in the circular addressed by you to the chiefs of bureaus of this department of the 29th ultimo, I have the honor to submit the following report of the business of this bureau during the past twelve months, or since the date of my last official report of October 1, 1867.

The operations of the bureau during this period are briefly presented by the following summary:

1. Number of records of military courts received, reviewed, and registered, 15,046.

2. Number of special reports made as to the regularity of judicial proceedings, the pardon of military offenders, the remission or commutation of sentences, and upon the miscellaneous subjects and questions of law referred for the opinion of the bureau, 1,457.

The officers connected with the bureau have performed their duties with fidelity, and those of the corps of judge advocates who have been stationed at the headquarters of the several military districts are understood to have conducted their offices to the satisfaction of their commanders. The fact that this corps has been reduced to eight members—the two vacancies existing therein not having been filled—has rendered it impossible to comply with a number of late applications for judge advocates received from department, &c., commanders; an embarrassment in the administration of this branch of the service which, it is hoped, may not long be suffered to continue.

A new edition of its opinions upon questions of military law recently published by the bureau, by the authority of the Secretary of War, has been generally circulated throughout the army, and will, as it is believed, contribute to securing a uniformity in the proceedings of military courts and in the action of reviewing officers.

Respectfully submitted.

J. HOLT,  
*Judge Advocate General.*

Brevet Major General E. D. TOWNSEND,  
*Assistant Adjutant General.*

# REPORT OF THE CHIEF SIGNAL OFFICER.

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OFFICE OF THE CHIEF SIGNAL OFFICER,  
*Washington, D. C., November 1, 1868.*

GENERAL: It has been the province of this office to keep informed, with the approval of the War and Navy Departments, of the studies in its branch of duty at the naval and military academies, and to give the facilities in its control; to consider plans which may aid the telegraphic communication of military and naval forces when they are in service together; to arrange for the supply of the army with such apparatus and equipments, and such instruction for their use as may be required; to superintend the construction of field electric telegraph trains, and the preparation of a drill for them, and to organize a school of telegraphs and signals at which both officers and enlisted men may be instructed, to be qualified in their turn to instruct others. Concomitant with these duties, has been that of experimenting with the appliances used for them.

The plan of providing the army such instruction, in both symbolic and electric telegraphy, as may be useful in the ordinary course of service, has been in progress for the past year.

Under General Order No. 92, of 1867, provision was made early in the present year for the preparation of the needed apparatus, in so far as the appropriation permitted, and copies of the Manual of Signals have been furnished each company and post. A class of instructed officers is nearly ready for assignment.

At the date of the last annual report of the chief signal officer of the army, the effort to so concert the studies of signalling and telegraphy at the military and naval academies of the United States that the graduates of either school might be, before entering the service as officers, instructed in similar theories, and practiced in similar modes, in order that messages might be sent in the same way in either arm of the service, and might be readable without further preconcert by officers of either the army or of the navy, was practically at its inception.

The course at the Military Academy at West Point has continued under the direction of Brevet Lieutenant Colonel P. S. Michie, United States engineers, instructor of military signals and telegraphy, and has been improved as experience in this tuition has indicated the means to that end. The cadets of the first and second classes have been those selected to be instructed. The course has comprehended the study of the theories of military and naval signalling, and of the Manual of Signals in the recitation room, and practice in the field, between stations upon the "plain" and stations some miles distant. In this practice the cadets have been required to use the different apparatus and the telescopes for day or night service, and to familiarize themselves with the duties to be expected of both officers and enlisted men in time of actual



operations. The academy has been supplied from this office with such apparatus, telescopes, &c., as have been needed.

The cadets have evidenced an interest in the duty, due in part, perhaps, to its novelty. It is suggested that when it can be done consistently with the interests of the service, this course be given a value in standing by merit marks, as an incentive to thorough study. In all its progress it has had the favor and influence of the inspector of the academy, Brevet Major General Edmund Schriver, inspector general United States army, and of the superintendent of the academy, Brevet Brigadier General T. J. Pitcher, United States army.

The study and practice in military signalling some years ago adopted, under the authority of the Navy Department, for midshipmen at the Naval Academy, has been modified in some respects during the past year, by the direction of Vice-Admiral D. D. Porter, United States navy, superintendent of the Naval Academy, with a view to make the courses at the Naval and Military Academies concurrent in as far as might be. A series of lessons and of practice drills were arranged for this purpose by Lieutenant Commander Richard J. Mead, jr., United States navy, head of seamanship, under whose charge the studies of this branch have been. The midshipmen instructed attained a general knowledge of the duty, and some of them have evidenced an especial fitness for it. At both the Military and Naval Academies there have been the little difficulties incident to an unaccustomed study, and the trouble to find time for it in the courses, already almost crowded. At both the obstacles have been overcome by the energy of the instructors, with the co-operation of their superior officers. If the courses, as now arranged, are carried out in practice, the object for which they were instituted will be attained.

The first practical illustration of the effect was given last summer, at the time of the visit of the naval practice squadron, manned by midshipmen, upon their practice cruise to the Military Academy at West Point, where the cadets were on duty. The anchors of the fleet were hardly down before questions and answers were waving back and forth with handkerchiefs, between midshipmen and cadets, on ship and on shore. Official communication by signals was soon after opened by order of the proper officers, and was maintained during the stay of the fleet. The duties were discharged by midshipmen and cadets who had never met, and who had no preconception other than that of the same study, in the same branch, at their respective schools.

The plans for such a pre-arrangement and equipment, that the posts and commands of the army and the vessels or forces of the navy may be always so provided that telegraphic communication by signals may be had between the services, whenever such communication is practicable, and to which reference was made in the last annual report of the Chief Signal Officer of the army, have received some consideration during the past year. In has been impossible, however, in the pressure of other duties, for either the distinguished officer, to whom the details of the subject were confided on the part of the Navy Department, or for this office, to give the subject the attention its importance demands.

With the view of preparing a sufficient number of officers to act as instructors at department headquarters, and as acting signal officers, the honorable Secretary of War directed, in July last, the designation by each general commanding a department of one officer for instruction. A number of the officers so nominated have reported for duty, and have been systematically taught. Classes have been organized at the office of the Chief Signal Officer of the army, and the officers reporting have

been taught by a series of lessons, which are recited, the Manual of Signals, and the theories and practical working of the electric telegraph. They have been required to study the modes of preparing and deciphering ciphers and cryptograms, and to give practical illustrations of their skill. Much care has been given to this subject, in order that these officers may be made competent to take charge of confidential communications on any staff on which they may be, and that they may know how to guard from discovery the messages to be transmitted by them. They have been taught some duties of reconnoissance. The field practice for the classes has embraced the sending of messages by day and at night, by codes of different numbers of elements, and using different styles of apparatus, at distances ranging from seven to fifteen miles. No officer has been held to be well practiced as a signal officer until able to transmit and receive messages by day and at night, at the distance of fifteen miles from the communicating station. The officers selected for this duty have displayed a commendable zeal in its study.

The duty of this office to provide for the equipment and management of field electric telegraphs, to be used with active forces in the field, has caused especial attention to be given to the preparation of such trains, and to the organization and drill of the force to serve with them. The field electric telegraph train is one arranged to carry in its vehicles everything that may be needed for the rapid erection and working of portable telegraphic lines. The parts of the lines are so provided for that each part has its appropriate number and place of stowage in the train, and all may be moved as rapidly as marching troops can move to any point at which the lines may be required, to be extended and put in operation.

The general service code of signals known to the army is adapted to be used with the electric instruments placed upon these lines. It is easily learned for transmitting messages at low rates of speed. A force of men organized and drilled in the manœuvres appropriate to the use of the train, and of the lines, and who can operate the instruments, accompany the train and serve habitually with it. These men are armed and each manœuvre of the train is provided for in a drill in which precise orders direct each movement. Papers 1 and 2, herewith, describe a field telegraph train and the drill as at present practiced. The train complete is for use in time of war only. The section train is sufficient for all purposes in time of peace, and such only have been prepared. The speed contemplated to be attained in the erection of light lines, using the section train, is three miles per hour, for distances not exceeding six miles. It has been the aim of this office to show that no costly apparatus is necessary to furnish such trains, and that with well instructed officers and men, they may be improvised at any time. With this view, a train consisting of two common ambulances and a wood wagon has been equipped and used at Fort Greble, District of Columbia. The working force has been 23 men.

The course at the Military Academy at West Point, before referred to, has embraced practice with electric telegraphic apparatus and with field telegraph trains. Lessons in the theories of telegraphy had been previously provided in the established studies at the academy; the actual practice with the instruments and lines has been added. The cadets are required to have a general knowledge of the modes in which electricity is made available for the purposes of telegraphy, the structure of the apparatus, of the batteries, and of the line; to connect the instruments upon the wires, and to work them themselves, sending messages by their own manipulation of the key and reading the replies by sound. They have been taught to rapidly extend the lines, to put them in working

order and work them under such directions as the instructor might give, and to reel them up, repack them, and move with them to other positions, to again erect them upon receipt of the order.

In March last, First Lieutenant R. P. Strong, United States army, acting signal officer, was, by authority of the General of the army, detailed as assistant to the instructor in military signalling and telegraphy. The train used at the academy was prepared under the superintendence of this officer, and the detachment to serve with it was organized and drilled by him.

The cadets fitted for reading the signals by sound, by the teachings they had before received in the recitation room to fit them for reading the same signals when made by signs, transmitted and received messages over the electric wires after a brief practice. A drill in which the use of the electric lines was combined with that of flag signals, conveying messages to and from points not reached by the wires, was conducted in June last by the instructors before some members of the board of visitors, the inspector and the superintendent of the academy, with satisfactory results. The practice will be improved for the ensuing year by the experience now gained; and the cadets of each class, instructed in its use, will enter the army as officers with a practical knowledge of electric telegraphy, and of the modes of its employment in military operations. The report of Brevet Captain R. P. Strong, United States army, acting signal officer, with its statements, (A and B,) are herewith, (paper 3.)

Upon the organization of the classes for the instruction of officers as acting signal officers in July last, provision was made for the study of electric telegraphy. The instruction rooms at the office of the chief signal officer have been fitted with instruments and such other appliances as are needed for field telegraphs, and these are worked upon miniature lines, of which the officers are required to take charge in person. It has been required of those under instruction, that they should themselves manipulate the instruments and direct the arrangement of the batteries and wires. They have been taught to familiarize themselves by the study of text-books, by recitations, by sketchings made by themselves, and by practical use with the parts of the electric lines and of the instruments, and of the modes of erecting the one and using the other complete.

A field telegraph train has been put in operation and is drilled with at the school of telegraphs and signals at Fort Greble, District of Columbia, with an established form of drill and a detachment organized for the purpose. Each officer is expected to understand the duties of the train detachment, and each is required in turn to take command of the train and to evidence his knowledge of its use by manœuvring it in operation in the field.

The facility with which the officers have acquired the telegraphic code adopted and have used it with the instruments, has rendered their practice of peculiar interest. Some of the officers are able to receive and to transmit messages at the rate of 15 words per minute.

A camp of instruction was, with the approval of the War Department, established at Fort Greble, District of Columbia, in August last. It has been made a school of telegraphs and signals. A detachment of 50 men, selected from the general service, were put on duty at this post and have been under instruction. The course has been such as to fit them for duty as flagmen and telegraphers to serve upon signal stations or with telegraphic trains in the field. Their practice with arms and their drill as soldiers have been kept in progress. Recitations in reading, writing, and spelling have been ordered as a part of their duty, when out-door service has been impracticable, to insure a correct knowledge

of the language in which they must receive and transmit messages. The officers detailed for instruction as acting signal officers are stationed in turn at Fort Greble, where each conducts for practice drills of enlisted men in forms providing for their especial service. The officers are accompanied by details of these enlisted men as their assistants when they are sent into the field. The material designated for this detachment, under the orders of the honorable Secretary of War, is not surpassed in quality by that of any arm of the service, and the tuition the men receive cannot fail to be beneficial.

No one of these men will be rendered less efficient as a soldier by the knowledge he will possess upon leaving the camp of instruction, while in the field as scouts, or wherever they may be hereafter, their services will be appreciated by officers who know how to use them. In the management of temporary lines of telegraph and signal posts of communication connecting separated commands, their employment may permit an economy in the use of couriers and of mounted men, more than compensating the expense incident to their tuition. As an incident of the past war was an occasion on which a few messages signalled, as these men will be able to do, saved to the United States, as reported by the general commanding at the time, property alone to the value of more than a million of dollars.

The carrying out of these plans for the instruction in these duties of officers and enlisted men who are detailed from the service at large, and who may be returned to regiments if occasion requires it, as now progressing under the direction of the War Department, will give in effect to the army of the United States an additional power with the least additional outlay.

The tuition in semic and symbolic telegraphy has been in charge of Brevet Captain H. W. Howgate, United States army, acting signal officer. The studies in electric telegraphy have been under J. C. Van Duzer, esq., electrician, as instructor. The camp of instruction at Fort Greble, District of Columbia, has been commanded by Captain S. C. Plummer, United States army, acting signal officer, as officer in charge. The reports, papers 4, 5, and 6, are submitted.

A series of experiments has been instituted during the past year for improving the different articles of apparatus and equipment for the signal service. For this purpose have been tested varieties of wire, plain and insulated, telegraph instruments, reels for extending and recovering wire, &c.

A portable insulator readily attachable to, and as readily detachable from trees, poles, or lances, and of which some hundreds can be carried by one man in pouches, has been devised.

There have been experiments also with signal lanterns of different models; with the signal mortar to insure its certainty of fire; and for improvements of the modes of exhibiting colored lights. These experiments are yet in progress.

A telescope, the first plans for which were taken from a glass of French construction, and which it has been attempted to so arrange as to afford for the service of the army a glass not impaired for any purposes of use as a telescope, while with it may be determined at the moment of view, and with close approximation, the distance, up to some thousands of yards, at which a man seen within its field may be from the position of the observer, has received particular attention.

The report of First Lieutenant E. H. Totten, United States army, acting signal officer, to whom experimentation with this glass has been assigned, with the accompanying illustrations, are herewith. If the

deductions of this officer are sustained in actual practice, the improvement in our means of observation will be of importance. (Paper 7.)

Within the past year several official applications made to the War Department by the representatives of foreign powers, for such information as might consistently be given in reference to the plans of telegraphs and signals used in our army, have been referred to this office. In the cases of the Danish and Swedish governments, officers were officially designated to receive at the office of the chief signal officer of the army, with the approval of the War Department, such instruction as might be directed. The officers so designated were instructed as an act of courtesy to the governments they represented, (papers 3 and 7.) The applications of this nature made to our government are indications of the thoroughness with which most military powers are organizing the telegraphic service of their armies, and of the recognition of the advantages which knowledge of this description, with organization and instruction based upon it, may give an army.

There is hardly a nation but has in contemplation some mode to secure these advantages to its service. In the case of our own army, the experience of the last war has shown how readily every branch of its organization, however extended, may be filled in the time of actual conflict by the volunteer force of the nation. It is necessary to have for each branch an established form of service on which to base the enlargement. It is another necessity that officers should have an information in relation to such subjects not hitherto attained in the ordinary courses of study. The most gifted of commanders cannot intelligently direct the management of his telegraphs, or know with what precise advantages he may use them, in battle or on the march, or what results it is his right to demand from their use, without some knowledge of what military organization can effect for this duty. The most skillful of signalists, or expert telegraphers, cannot advise without military experience. It is to arrange for such a fixed form of service, and to ascertain what it ought to accomplish, and how to accomplish it, that the duties of this office have been directed.

It has been considered with some satisfaction that the United States have been, perhaps, first to adopt at their military academy the study and practice of symbolic and electric telegraphy, as a branch of military science, and among the first to establish in their army an organized school of instruction for the service.

I am, General, very respectfully, your obedient servant,

ALBERT J. MYER,

*Bvt. Brig. Gen. and Chief Signal Officer of the Army.*

Brevet Major J. M. SCHOFIELD,

*Secretary of War, Washington, D. C.*

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#### FIELD TELEGRAPH TRAIN.

[Organization for an army corps.]

A train consists of one (1) battery wagon, four (4) wire wagons, and four (4) lance trucks.

It will be subdivided into four (4) sections, each consisting of one (1) wire wagon and one (1) lance truck.

The train will be commanded by a captain, and each section by a lieutenant.

The battery wagon will be fitted up as an office, from which four (4) lines may be worked, and will contain the necessary batteries, instruments, stationery, &c.

Each wire wagon will be provided with ten (10) or twelve (12) miles of wire, (some insulated and some plain,) and a reel for reeling out and reeling up the wire, and will be arranged with instrument, stationery, &c., for an office.

Each lance truck will carry from three hundred (300) to five hundred (500) lances, fifteen (15) feet long, on which the line is to be erected, a supply of insulators and insulator spikes, and the equipments, consisting of crowbars, climbers, and marking pins.

The force required for the battery wagon will be one (1) driver, four (4) operators and one (1) battery man. The duty of the latter is to take charge of the batteries and other material contained in the battery wagon.

Each section requires one (1) lieutenant and thirty-two (32) enlisted men, distributed as follows:

One (1) lieutenant, in charge of section; one (1) director and two (2) markers, whose duty is to indicate the route of the line of wire to be erected; one (1) surveyor, who follows along the line indicated by the markers and points out the places where the lances are to be erected; three (3) pin men, the 1st and 2d of whom accompany the surveyor and place marking pins at the points indicated by him. The 3d pin man gathers the pins as the line is erected; thirteen (13) bar men (one being a non-commissioned officer and in charge) who, armed with crowbars, make holes large enough to receive the lances at the places marked by the pins; two (2) wire men who have charge of the handling of the wire when reeling out and reeling up; one (1) operator, who accompanies the wire wagon; seven (7) lance men, (one a non-commissioned officer, in charge,) two (2) of whom ride on the lance truck, and attaching spikes and insulators to the lances pass out a lance at each point indicated by a marking pin. The remaining five (5) follow the wire wagon and erect the line on the lances; one (1) driver for the lance truck; one (1) driver for the wire wagon.

The force required to work the whole train is five (5) commissioned officers and one hundred and thirty-four (134) men.

The capacity of the train is to erect fifty (50) miles or more of portable telegraph line, four separate lines as connecting with corps headquarters from headquarters of divisions of an army corps, being extended at the same time. (See Plate A, p. 790.)

A full train is parked as shown in Plate B, p. 791.

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#### SECTION TRAIN.

[Form of drill for section train of field telegraph train.]

The section train will consist of one (1) battery wagon, one (1) wire wagon, and one (1) lance truck, and be manned by a chief of train, a captain, chief of section, a lieutenant, and 38 men. It will be parked in the following order: Wire wagon in line with and ten (10) paces on the left of the battery wagon, and the lance truck immediately in rear. (See Plate I, p. 791.)

At the "first call," the drivers, director, and markers will saddle and harness up.

When the "assembly" is sounded, the drivers will lead out and hitch up, the directors and markers will lead out and take position immediately in

front of the train, and with the drivers will stand at "attention," and dismounted. The drivers, when dismounted, will always stand at their horses' heads.

The men for duty with the section will be formed on the parade in two ranks, the roll called, and the detachments told off, the latter taking position in the following order: The surveyor and pin man on the right, the bar men with an interval of two paces, the wire men with an interval of two paces, the lance men with an interval of two paces, the operators and battery men with the same interval.

They will be marched in column of detachments to the ground where the train is parked, and wheeled into line by the flank previously designated, facing the train.

The section train being in park, with the detachments in line near it, the chief of train wishing to form the train in column of route, will command—

1. Form train.
2. March, (or, double time, march.)

At the first command, the director, markers, and drivers will mount, and the chief of detachments will give the cautionary commands to cause their detachments to wheel towards the front of the train. At the second command the director and markers will move twenty paces to the front. At the same command, which will be repeated by the detachment commanders, the detachments will move off and form in close column in the same relative order as before, behind the director and markers. (See Plate II, p. 792.)

The section being formed for the march, the park will be broken and it will be moved forward by the command—

1. Forward.
2. March.

When the director and markers will move forward, followed in order by the column of detachments, the battery wagon, the wire wagon, and lance truck.

On the march the section is formed as shown in Plate III, p. 792.

The direction and swiftness of the march will be regulated by the movements of the director and markers under the orders of the captain.

The section being on the march, to halt it previous to opening station, the captain commands—

1. Section.
2. Halt.

To open station, the captain will designate the point where the battery wagon is to be placed, and will command—

1. Open station.
2. March.

At the second command, the battery wagon will move out of the column to the point indicated, and be followed by the battery man and four operators; at the same time the wire wagon and lance truck will close up to the column of detachments; the driver of the battery wagon will unhitch his horses and stand at their heads, and the battery man will make the necessary ground connection. The command will then be given—

1. Equip.
2. March, (or, double time, march.)

At the first command the chief of detachments will cause them to face about. At the second command, which will be repeated by the chiefs of detachments, the latter will separate and move in equal divisions on

either side of the train, the operator and two wire men taking position at and to the rear of the wire wagon, and the lance men, bar men, and pin men on either side of the lance truck, where they will take equipments, and face towards the front of the train.

As soon as the wire wagon is unmasked by the detachments it will move to its position in rear of the battery wagon. (See Plate IV, p. 792.)

The command will then be given—

1. To your posts.
2. March, (or, double time, march.)

At the first command the directors and markers move forward 40 paces, the bar men raise the bar to the right shoulder, two of the lance men mount the lance truck.

At the command "march," the surveyor and pin men move to the front and immediately behind the director and markers; the bar men follow the surveyor and pin men.

At the same time the lance truck will pass the wire wagon and close up upon the bar men. The lance men are marched to the rear of the wire wagon. At the command—

Prepare to reel out—

The director having been instructed by the lieutenant as to the direction and route of the line, moves forward rapidly with the markers, stationing the first marker at a point about 300 feet from the wire wagon. One of the wire men takes the end of the wire from the wire wagon, and makes it fast to the wheel of the battery wagon. (See Plate V, p. 793.)

The command is then given—

1. Reel out.
2. March.

At this command the director moves forward, taking the second marker and stationing him at a second point on the route, visible to the first marker. The distances between the markers thus placed will be necessarily regulated by the topography of the country. The lieutenant moves forward; the surveyor follows on the line indicated by the markers, and is accompanied by two pin men.

The first pin man, with 40 marking pins, (for one mile of line,) follows the surveyor, and places the first pin about 30 feet from the battery wagon. The surveyor now paces the distances of 55 steps, or 132 feet, and indicates the points where the pin man shall place the pins.

The second pin man, similarly equipped, also accompanies the surveyor and relieves the first when the pins of the latter are used up.

The third pin man takes station at the first pin placed.

The bar men (each with a crow-bar) follow the pin men, making at each pin thus placed a hole large enough to admit the foot of the lance easily and two feet deep, the length of the bar from point to shoulder being the measure and the hole being made, sticking the pin beside it to guide the lance men.

The lance truck will follow close upon the bar men, the two lance men in the truck attaching a spike and insulator to each lance and delivering a lance so prepared at each hole.

The wire wagon with operator and two wire men follows the lance truck, reeling out the wire, the first wire man in the wagon in charge of reel, and the second wire man following, carrying wire to the line of poles.

The lance men, four in number, follow the wire wagon, placing the wire in the insulators and erecting the lances, taking care to force them to the bottoms of the holes and that the insulator spikes are at right angles to the line and the insulators properly adjusted.



The third pin man now follows the lance men, and as the line is erected gathers the pins and delivers them to the pin man, who set them, and who waits at the point where he placed the last pin, when the latter pin man moves in double time to the front and relieves at the proper time the one who precedes him.

The end of the line having been reached, the wire wagon passes the lance truck, the station is opened (and ground connection made by a wire man) under the direction of the chief of section, who will command—

1. Section.
2. Halt, and take station.

The detachments of pin men and bar men take position as they come in, immediately behind the wire wagon and the lancemen behind the lance truck. The train is now arranged as in Plate VI, p. 793.

Having thus formed, the equipments of bar men and pin men are returned under direction of chiefs of detachments, and such disposition made of the men as may be advisable under directions of the lieutenant.

Some of the lance men are detailed as patrols to guard the line and make repairs when necessary. Each is made responsible for a certain portion of the line, which is assigned to him.

To cover the line, the command is given—

1. Close station.
2. March.

The wire man removes the ground connection.

1. Prepare to reel up.
2. March.

The wire wagon and lance truck wheel about on their own ground and then stand fast. The lance men, bar men, and pin men are faced about, (see Plate VII, p. 793.)

1. Reel up.
2. March.

The lance men commencing at the wire wagon, draw the lances, free the wire from the insulators, and pass the lances into the truck. The men in the truck receive lances, detach insulators, and return parts thereof and lances to their places.

The wire wagon following reels up the wire, the pin men assisting the wire men, and the bar men taking care that the wire does not run into kinks or become entangled, so as to prevent it from being readily reeled in.

Upon reaching the central station the lieutenant will command—

1. Section.
2. Halt.

At the command from the chief of train—

1. Close station.
2. March;

the wire wagon reels up to the end of the line, passing the lance truck which has been halted at the place of the first lance and moves in rear of the battery wagon. The detachments retaining their relative positions.

At the first command, "close station," the wire men detaches the line from the battery wagon and the battery man removes the ground connection. (See Plate VIII, p. 794.)

The chief of train then commands—

1. Form train.
2. March, (or, double time, march:—

when the detachments will be promptly placed, as directed in the train formed for the march.

The train being in march, to park it, the chief of train will command—

1. Into park.
2. (Positions designated for park.)
3. March.

Having reached the ground intended for the park, the column of detachments and battery wagon will be at once halted, the wire wagon will take its place 10 paces to the left of and on a line with the former, and the lance truck will close up to the rear and centre of the line, formed by the two wagons. The drivers and mounted men will dismount as soon as the park is formed, and remain at "attention."

The drill being dismissed, the detachments will be marched by their respective chiefs to the parade, where they will be dismissed.

*General directions for running and erection of field telegraph lines.*

They should be as nearly straight as the circumstances will allow. When it is impracticable for any reason to follow a straight line, the divergence should be made with a tree, house or other firm support at the angle, and this especially if the divergence is large, approaching a right angle. Should such support be unavailable, two or three lances should be set close together to divide the strain.

When following a road or highway the line should be placed beyond the ditch, so as to be entirely out of the way of trains. When crossing country the same object should be kept in view and the line run along the edge of timber or the brink of the ravines. Avoiding ground likely to be selected for the parking of trains, or upon or across which artillery is likely to be moved.

In crossing broken country the surveyor should be careful to place lances upon the brink of the declivities and on the top of knolls, in order that no ground between lances shall be high enough to endanger the line should troops or trains pass under it.

Cross roads as seldom as possible, and when necessary to do so, select, if possible, a point where the road is lower than the banks on either side.

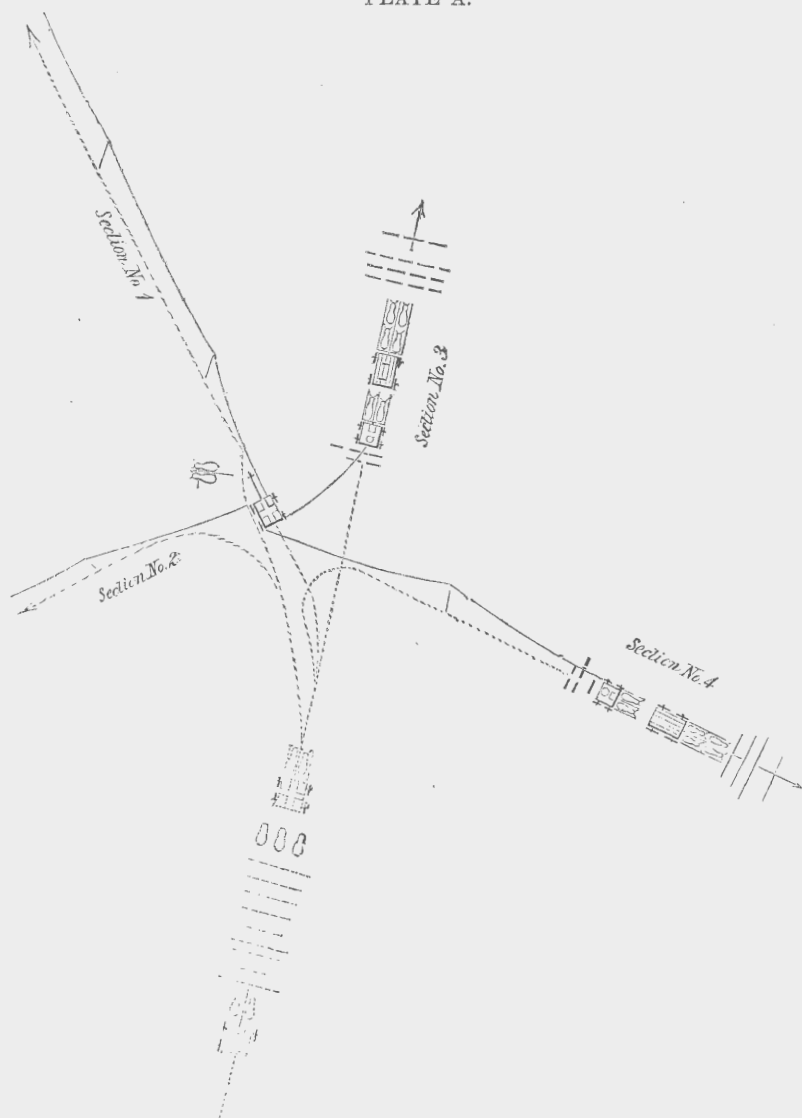
Select ground in which the lance holes can be easily and quickly made, but avoid sand. Lances should be 53 steps apart, but this distance may be varied 5 to 10 steps, to avoid bad ground, hard clay, rock or dry sand.

The sergeant in charge must see that the lance holes are made proper depth and large enough to admit the foot of the lance easily.

The lance men must force the lances down to the bottom of the hole and stamp the earth about the lance to make it stand firmly, the insulator spike must stand at right angles with the course of the line and the insulators be all on one side of the lines of poles.

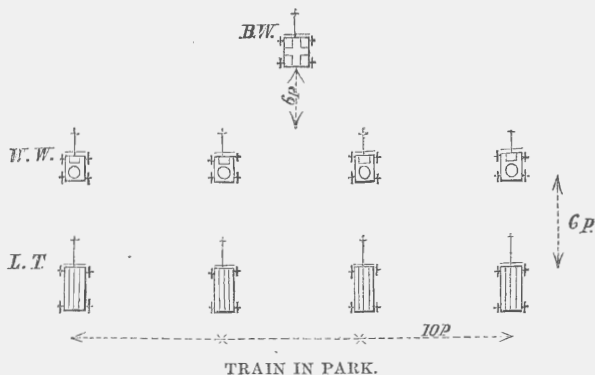
The wire men will deliver the wire from the reel only as fast as the wagon moves, allowing no slack, in order that when lifted on the lances it shall be tight and not hang in loose curves.

PLATE A.



To "open station," using four sections or the full train.

## PLATE B.



TRAIN IN PARK.

*Explanation of signs used.*

B. W. Battery wagon.

W. W. Wire wagon.

L. T. Lance truck.

## PLATES.

## DRILL WITH SECTION TELEGRAPH TRAIN.

*Explanation of signs used in plates.*

B. W. Battery wagon.

W. W. Wire wagon.

L. T. Lance truck.

M. Markers.

D. Director.

S. &amp; P. m. Surveyor and pin men.

B. m. Bar men.

W. m. Wire men.

L. m. Lance men.

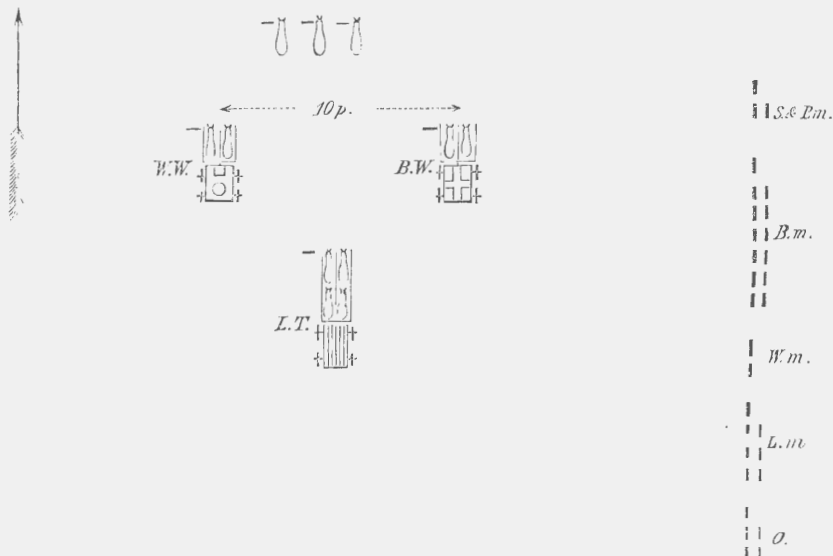
O. Operators.

..... An intermediate position.

Arrow, direction in which the plates should be seen.

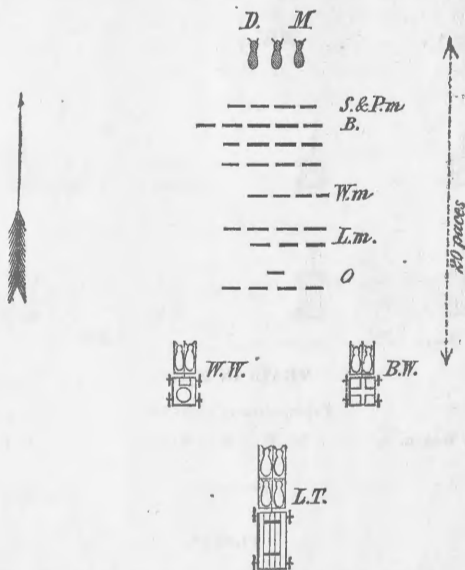
— A single man.

## PLATE I.



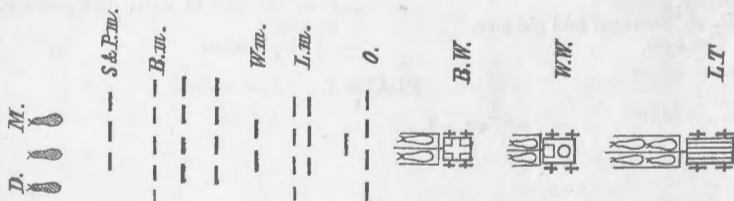
Section train "in park," and prepared to "form train."

PLATE II.



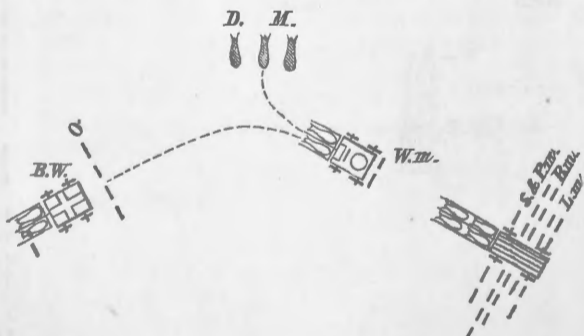
"Form train."

PLATE III.



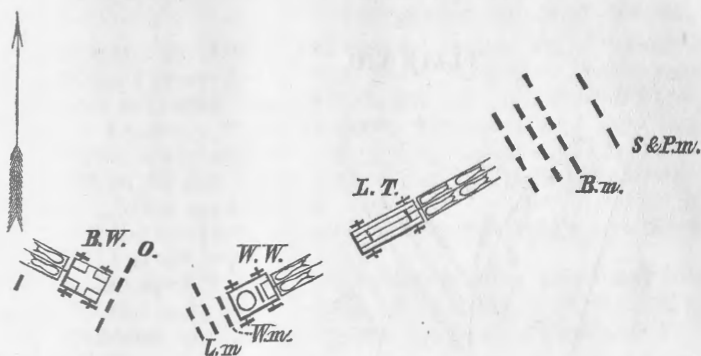
"Train on the road."

PLATE IV.



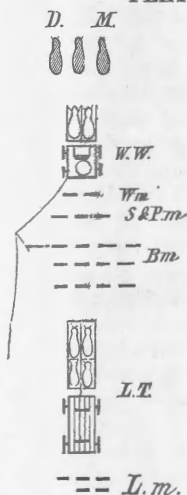
"Open station and equip."

PLATE V.



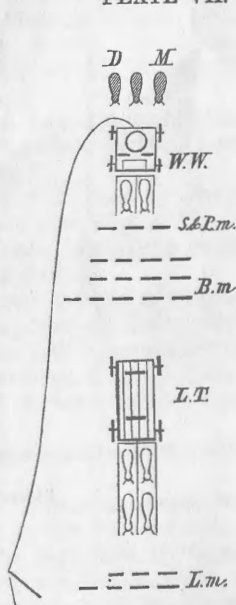
"Prepare to reel out."

PLATE VI.



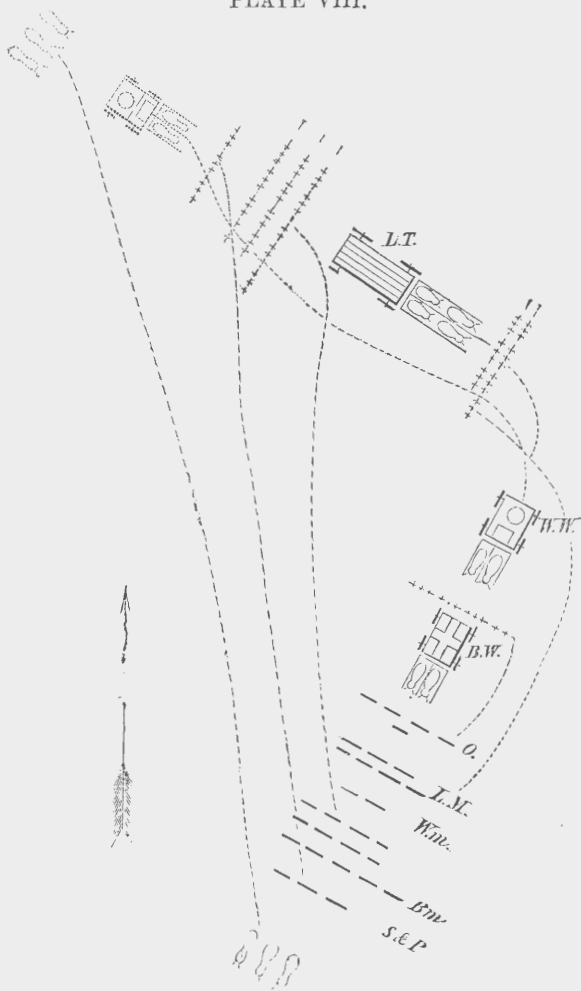
"Section halt" and "open station."

PLATE VII.



"Prepare to reel up."

PLATE VIII.



"Close station" and "form train."

WASHINGTON, D. C., *October 10, 1868.*

GENERAL: In obedience to Special Orders No. 3, current series, from your office, I proceeded to West Point, New York, and reported for duty to Brevet Brigadier General T. G. Pitcher, superintendent United States Military Academy, March 31, 1868. The next day I was assigned to duty as assistant instructor in military signalling and telegraphy, and ordered to report to Brevet Lieutenant Colonel P. S. Michie, instructor in that branch. After consultation with him I was ordered to New York to carry out the instructions received from you relative to the construction of a field electric telegraph train.

I was engaged in New York in determining upon and arranging the plans for the train from the 2d to the 10th of April, and at the latter date returned to West Point and reported myself ready to commence instruction.

It was represented to me that the class to be instructed understood fully the chemical and philosophical portions of the course marked out for electric telegraphy, and it was decided that the instruction in this branch, so far as under my direction, should be limited to the management and manipulation of the instruments and the erection of lines, using the field train for the purpose.

I was informed that no definite times could be assigned for drill with the train until "encampment," but that, until then, the drill could take place at such times as the weather would preclude battalion drill.

Under this arrangement, which was partially carried out, I was enabled to give six lessons, comprising  $10\frac{1}{2}$  hours, during the period of four months; three of these lessons were given to only a portion of the class, at their own request and during their hours of recreation.

The class had been previously practiced in reading by sound in the recitation room, under the charge of Brevet Lieutenant Colonel P. S. Michie and his assistant officer of engineers.

The results of the above instruction were witnessed by Brevet Major General E. Schriver, inspector general, and yourself, at the exhibition drill on the 19th of June last. They have also been fully referred to in my weekly report of the operations of that date.

The combination of the flag and electric signals was a success, and its practicability and importance fully demonstrated on this occasion.

I would here state that the class had been quite thoroughly instructed in the flag signals by Brevet Lieutenant Colonel P. S. Michie, previous to my arrival at West Point, which fact will account for the success then attained.

Besides the drill mentioned, two other opportunities were afforded the cadets to display their skill in signalling.

Signal communication was opened with the practice squadron of the navy during the recent visit at West Point on the 15th of June, and was maintained until the 21st of June, when the fleet took its departure.

All official business between the squadron and the academy was transacted by this means. The practice was excellent, both on the part of the cadets and midshipmen, and showed that their instruction had been carefully conducted.

On the 19th and 21st of August, portions of the class visited Newburgh, New York, and located stations at an estimated distance of eight miles from West Point, communication by flag signals was established and the line was worked successfully.

The telescope and marine glass were both used, and on the first day the messages were read under trying circumstances, the atmosphere



being very hazy, and the telescope being shaken considerable by the high wind. All the messages were, however, correctly received at the stations. Some messages were in the general service code and others in cipher.

For details of operations, from the 11th of April to the 27th of August, 1868, I would respectfully call your attention to my weekly reports, on file in your office.

During the month of May I was occupied in arranging and adapting a drill for the field train. The manuscript of the drill, with the drawings illustrating it, have been recently forwarded to your office.

Statement A, herewith enclosed, exhibits the results of the labor of the engineer's department using this drill.

The aggregate time occupied by me in instruction of cadets, during the period of 5 months, was 40 hours.

Statement B gives the dates, times, and subjects of such instruction.

On the 31st of August I was relieved from duty at the Military Academy by Special Orders No. 101, current series, and in accordanced therewith reported to you at Washington on the 5th of September last.

The first class of the corps of cadets is at the present time well instructed in the theory of flag and electric signals. With the instruction which could be given them during the coming spring they should be capable of performing all the ordinary duties of a signal officer in the field. A few of the class are already quite proficient in the subject, but they are the ones who have devoted leisure hours to study and practice.

If the subject is to be thoroughly taught, a fixed value in marks ought to be given to each recitation. A single instructor would be sufficient to conduct the course successfully, as prescribed at present by the academic board; but it is requisite that definite hours and times be set apart for this instruction in order that he may arrange the lessons to proper advantage. During "encampment," when the field-practice occurs, an assistant would be required to accompany detachments to distant stations.

Very respectfully, your obedient servant,

RICHARD P. STRONG,

*First Lieut. 7th Infantry, Brevet Captain U. S. A.,*

*Acting Signal Officer.*

Brevet Brigadier General A. J. MYER,

*Chief Signal Officer of the Army.*

*Washington, D. C.*

*A.—Operations of an engineer detachment drilling with the field electric telegraph train at the United States Military Academy,  
West Point, New York.*

Dates.	Time of instruction.	Time of running out one mile and opening communication.	Time of erecting one mile of wire on lances.	Time of taking down line and reeling up the wire.	Line removed and train reformed and on the march.	Remarks.
May 11, 1868	3 $\frac{1}{4}$ hours. . .	Time not noted.	Time not noted	Time not noted	Time not noted	Experimenting with the train.
May 12, 1868	2 $\frac{1}{4}$ hours. . .	do . . . . .	22 minutes . .	16 minutes. . .	do . . . . .	Do.
May 13, 1868	2 hours. . . .	11 minutes. . .	19 $\frac{1}{2}$ minutes. .	Time not noted	13 minutes. . .	The time on each item can be reduced by 2 minutes.
May 15, 1868	3 hours . . . .	13 minutes. . . .	16 minutes. . .	16 minutes. . .	18 minutes. . .	Do.
May 16, 1868	2 hours. . . .	Time not noted..	Time not noted	Time not noted	Time not noted	Adapting the movements of the train to a drill.
June 1, 1868	4 hours . . . .	do . . . . .	do . . . . .	do . . . . .	do . . . . .	Do.
June 2, 1868	1 $\frac{1}{4}$ hour . . . .	do . . . . .	do . . . . .	do . . . . .	do . . . . .	Drilling the detachment according to an adopted drill.
June 5, 1868	1 hour. . . . .	do . . . . .	do . . . . .	do . . . . .	do . . . . .	Do.
June 10, 1868	2 hours . . . .	do . . . . .	do . . . . .	do . . . . .	do . . . . .	Do.
June 18, 1868	1 hour. . . . .	do . . . . .	do . . . . .	do . . . . .	do . . . . .	Do.
June 19, 1868	2 hours . . . .	7 minutes, ( $\frac{1}{4}$ mile)	do . . . . .	do . . . . .	do . . . . .	Exhibition drill of train before Major General Schriver, inspector general.

*B.—Instructions of 1st class, United States corps of cadets at the Military Academy, West Point, New York, May 13, 1868, to August 27, 1868.*

Dates.	Time of instruction.	Subjects of instruction.
1868.		
May 13.....	1 hour .....	Manipulation of the telegraph instruments. Sending and receiving messages by sound, with code of two elements by the same.
May 14.....	1 hour .....	Mode of attaching instruments to battery. Sending and receiving messages by sound, with code of two elements by telegraph instruments.
May 18.....	1 hour .....	Manipulation of telegraph instruments. Sending and receiving messages by sound, with code of two elements by telegraph instruments.
June 4.....	2½ hours ...	Practical working over a line from Fort Putnam to Roe's hotel. Sending and receiving messages by sound with the telegraph instruments.
June 5.....	2½ hours ...	Practical working over a line from Fort Putnam to Roe's hotel. Sending and receiving messages by sound with the telegraph instruments.
June 8.....	2½ hours ...	Practical working over a line from Fort Putnam to Roe's hotel. Sending and receiving messages by sound with the telegraph instruments.
August 11...	½ hour .....	Flag signals. To call a station: to send and receive messages correctly. The importance of the conventional signals;—"assent," "error," "repeat," "cease signalling," &c.
August 12...	2 hours .....	Same instruction as on August 11, also instruction in "selecting," establishing, and working signal stations in the field. To open stations without pre-concert, to memorize a code and to communicate.
August 13...	2 hours .....	A review of all the subjects treated of thus far in the course with practical applications.
August 14...	2 hours .....	The signal kit: the uses of the various articles of signal equipment, to pack and unpack kit, to carry equipments, to fill torches, the use of telescope and marine glass. How to arrange the glasses for work. Coston lights used to illustrate "code of two elements," chronosemic signals by flag and sound explained. Candle bombs and Coston lights as used for chronosemics. How to arrange chronosemic code and how to record the signals.
August 15...	2 hours .....	Naval signals using naval signal flags, sending and receiving messages. Coston lights as used for the same. To arrange arbitrary codes for work between land and naval forces. Signalling in cipher. The signal disc explained and uses illustrated. The modes and laws of adjustment. To send message in cipher, to change cipher while sending, to receive and decipher a cipher message. The use of "countersign words." Enciphering certain words, only using numbers as cipher.
August 17 ..	2 hours .....	Selecting, establishing, and working stations in the field. Three stations on Fort Putnam, A, B, and C, communicating with stations D, E, and F, on the opposite side of the river and about one and one-half mile back of garrisons. Range about two and one-half miles. Code of two elements used without cipher.
August 18...	2 hours .....	Three stations located on Cavalry plains communicating with three stations on opposite side of the river. Range about three and a half miles.
August 19...	4 hours .....	Code of two elements used without cipher. Working flag stations from West Point, New York, to Newburgh, New York, distance eight miles, using code of two elements without cipher.
August 20...	2½ hours ...	Sending and receiving messages by chronosemic signals, using candle bombs for the purpose, six (6) stations on the "plain," from 9.45 p. m. till midnight.
August 21...	4 hours .....	Working flag stations from West Point, New York, to Newburgh, New York, using cipher disc, and changing cipher while sending messages.

B.—*Instructions of 1st class, United States corps of cadets, &c.*—Contin'd.

Dates,	Time of instruction.	Subjects of instruction.
August 24...	1 hour .....	Field evolutions with flying telegraph train, opening stations, running out and erecting lines and opening communications. Taking down lines and closing stations.
August 25...	3½ hours ...	Field drill of telegraph train. Same practice as on August 21. Practice with torches at night one and one-quarter hours; six stations on "plain." Code of two elements used.
August 27...	3½ hours ...	Field drill of telegraph train. Erecting and removing telegraph lines, using the new portable insulator and spike. From 10 to 12 p. m. practice with torches and Coston lights with code of two elements.

## OFFICE OF THE CHIEF SIGNAL OFFICER.

*Washington, D. C., October 31, 1868.*

GENERAL: I have the honor to submit the following report of operations in that portion of the instruction department of the signal bureau, devoted to semic and symbolic signals, since it has been under my charge.

I was assigned to duty as "instructor commandant" August 1, 1868, and entered upon the discharge of my duties immediately. At that date there were two officers present who had been partially instructed in the theoretical course prescribed in the Manual of Signals, under the supervision of Brevet Major L. B. Horton, acting signal officer.

These officers, Captain S. C. Plummer, 26th United States infantry, and First Lieutenant E. H. Totten, 34th United States infantry, were at once placed in the field for practice and remained out during the whole month, when not prevented from practicing by unfavorable weather. Five other officers reported during the month and commenced the regular course of study. Their names and date of reporting are as follows:

Robert Craig, 1st lieutenant 4th artillery, August 1st; George A. Garretson, 2d lieutenant 4th artillery, August 12th; Francis H. Ross, 1st lieutenant 25th infantry, August 15th; John E. Hosmer, 1st lieutenant 16th infantry, August 15th; Nat. Wolfe, 2d lieutenant 34th infantry, August 24th.

In addition to the above two officers of the Swedish army, 1st Lieutenants C. T. Nordstrom and L. R. Nystrom, having obtained from the War Department, at the official request of the Swedish minister near this government, permission to study the signal system employed in the United States army, reported to the chief signal officer of the army for this purpose on the 10th of August, and commenced on the same day the usual course of instruction. I was ordered by the chief signal officer to make them thoroughly acquainted with the system, both theoretically and practically, with the exception of the cipher; but to do this in a satisfactory manner required more time than the officers had at their disposal. By close application, however, during the three weeks they were here, they mastered the theoretical part and received sufficient field practice to enable them to give a fair exposition of the system to their government, and to complete the course at their leisure. One of the officers, Lieutenant Nordstrom, worked at a station successfully at a range of seven and a half miles, receiving and sending messages without difficulty. The field practice of Lieutenant Nystrom was very limited on account of his continued ill health.

During the month of September only one officer reported for instruction, as follows: A. H. Merrill, 2d lieutenant 1st artillery, September 10.

On the 9th of September a "school of instruction" for enlisted men was established at Fort Greble, D. C., and Captain S. C. Plummer placed in charge. The course of instruction differs from that for the officers only in the subject of cipher, and embraces a thorough knowledge of the general service and homographic codes, the manner of using skillfully and rapidly flags, torches, signal disks, and all other apparatus employed in the transmission of signals, including telescopes, and in the general management of stations in the field when cipher is not used. Enlisted men thus instructed will be qualified to work stations in the absence of officers, and the available strength and usefulness of a signal detachment be proportionately increased.

As men of ordinary capacity and intelligence can work with the general service code after a few days' instruction, it is possible to extend the instruction to this extent as far as may be desired. The advantages of such a general dissemination of the system under certain circumstances are too obvious to require especial mention here.

Much time was necessarily consumed at Fort Greble in preparing quarters for the men and fitting it for the purpose of instruction.

Since the completion of this work the practice has been constant and the progress of the men good. Captain Plummer is entitled to credit for the zealous and able manner in which he has performed his duties.

The charge of the telegraphic instruction devolved upon me from September 1st to September 20th, owing to the temporary absence of the regular instructor, I. C. Van Duzer, late lieutenant colonel United States volunteers. As I simply carried out the course of instruction marked out by Colonel Van Duzer, it is unnecessary to make any special mention of services in his department.

In the month of October the following officers reported:

William M. Wallace, 1st lieutenant 8th infantry, October 5th; V. M. C. Silva, 1st lieutenant 21st infantry, October 5th; A. W. Greely, 2d lieutenant 36th infantry, October 26th.

On the 1st of October Lieutenants Ross and Garretson, who had been at Fort Greble since the organization of the camp of instruction there, were ordered in, and Lieutenants Totten, Craig, and Wolfe assigned to temporary duty there. The two latter officers still remain, while Lieutenant Totten was ordered in on the 13th October to perform special duty that required his presence in the office of the chief signal officer.

The theoretical course prescribed in the Manual of Signals has been thoroughly carried out, and every officer is required to master all its details before going into the field for practice. The practical course adopted has been made to conform as nearly as possible with the demands of active service in the field, and consists in working stations at ranges varying from two and one-half ( $2\frac{1}{2}$ ) miles to fifteen and one-quarter ( $15\frac{1}{4}$ ) miles, using flags, torches, signal disks, and the various appliances for making chromosemic signals. No officer is considered well practiced until he is able to transmit and receive messages readily, by day or night, at a distance of fifteen (15) miles from the communicating station.

The officers have also been required to locate and establish working stations under the various circumstances likely to arise in actual service, using for transmission of messages the general service and homographic codes, and the cipher disk.

Especial attention has been given to the subject of cipher and its practical application to military purposes. Not only have the officers

been instructed in the use of the ordinary cipher disk, and required to transmit messages enciphered from it in every practicable manner until they have become familiar with its application, but they have taken up the whole subject of cipher from the remotest historical period to the present time. This plan of instruction, if fully carried out, will supply our army with an educated corps of cipher experts capable of transacting all business of a confidential nature.

I have the honor to remain, very respectfully, your obedient servant,

H. W. HOWGATE,

*Breret Captain United States Army,*

*Acting Signal Officer and Instructor Commandant.*

Brevet Brigadier General A. J. MYER,

*Chief Signal Officer, United States Army.*

OFFICE OF THE CHIEF SIGNAL OFFICER,  
TELEGRAPH INSTRUCTION ROOMS,

October 31, 1868.

GENERAL: I have the honor, obeying your direction, to submit the following report of the work of instruction in telegraphic signalling in this office. I reported for duty as instructor on July 12, and the remainder of the month was occupied in procuring the necessary apparatus and text-books, and in making myself acquainted with the general service code. Instruction may therefore be said to have commenced at the time of the occupation by you of your present office, on the 5th of August.

The plan adopted was to instruct in the building and maintenance of telegraph lines; the construction and management of batteries; and the use of instruments for both permanent and field lines; taking Prescott's work as text-book, and using, as books of reference, all the publications, English and American, bearing upon the subject. The course of study is arranged as follows:

Part 1: 1st. Batteries; 2d. Conductors and connections; 3d. Supports and insulators; 4th. Instruments; 5th. Means of transportation and tools.

Part 2: 1st. Field train; 2d. Erection of lines; 3d. Recovery (or taking down) of lines; 4th. Working of lines; 5th. Combination of circuit practice.

For the reason that the officers have been under the tuition of Brevet Captain H. W. Howgate, United States army, acting signal officer, in the manual of signals, and employed in practice in the field whenever the weather was favorable, it has not been possible to make the instruction in telegraphing continuous, and the progress has been slower in consequence.

The telegraph instruction rooms are arranged with tables, instruments, batteries, &c., to represent different stations or offices, are connected by lines of wire representing telegraph lines, and have facilities for the instruction of eight (8) persons at the same time.

My efforts have been mainly directed to familiarizing the sound of the general service code when transmitted by telegraph, and instructing in the method of making or transmitting that code by telegraph, the signal numerals being represented, "1," by a single stroke or blow, and, "2," by a double stroke or blow, deferring instruction in the course of study until the officers should have completed the course in signalling and been relieved from practice in the field.

The following are the names of the officers under instruction in signal telegraphy: L. B. Norton, first lieutenant 30th infantry and brevet major, United States army; H. W. Howgate, second lieutenant 20th infantry and brevet captain, United States army; R. P. Strong, first lieutenant 7th infantry and brevet captain, United States army; J. P. Story, first lieutenant 34th infantry, United States army; S. C. Plummer, captain 26th infantry, United States army; E. H. Totten, first lieutenant 34th infantry, United States army; R. Craig, first lieutenant 4th artillery, United States army; F. H. Ross, first lieutenant 25th infantry, United States army; J. E. Hosmer, first lieutenant 16th infantry, United States army; W. M. Wallace, first lieutenant 8th infantry, United States army; V. M. C. Silva, first lieutenant 21st infantry, United States army; G. A. Garretson, second lieutenant 4th artillery, United States army; A. H. Merrill, second lieutenant 1st artillery, United States army; N. Wolfe, second lieutenant 34th infantry, United States army.

Of the officers under instruction, one (1) in one (1) month from commencing practice was able to transmit and receive at the rate of ten (10) or twelve (12) words per minute, and can now attain to fifteen (15) or more words per minute—could build and direct the working of a line, or act as instructor; two, (2), who have had scarcely any instruction or practice since August 30, can work at from ten (10) to twelve (12) words per minute; and nine (9) others, who have had, respectively, from five (5) to thirty (30) days' practice, can work at from five (5) to fifteen (15) words per minute.

By your direction a class of twelve (12) enlisted men, from the force at Fort Greble, was put at practice with the instruments on Monday, October 5, and, on the following Monday, five (5) of the twelve (12) were able to receive messages transmitted by the instructor at the rate of ten (10) words per minute.

The men of this class had been previously instructed in the general service code, and one (1) of them had learned, and for a short time used, the Morse telegraph alphabet, but not by sound. The regular hours for practice of this class were from 4 to 5.30 p. m. of each day, but, being interested in the work, the men usually gave from one (1) to two (2) hours per day to practice in addition thereto. The officer in command now reports the whole class competent to transmit and receive messages at the rate of ten (10) words per minute, and four (4) or five (5) individuals as able to exceed that rate.

I think I am safe in saying that men of average capacity, able to read quickly and to write a legible hand at the necessary rate of speed, can, having first been instructed in the formation and use, by wand or flag, of the general service code, be taught to transmit it by telegraph at the rate of five (5) words per minute in three (3) days; ten (10) words per minute in fifteen (15) days, and fifteen (15) words per minute in thirty (30) days. The latter rate I think the best that can be expected; some individuals especially qualified by nature may, by long practice, attain to twenty (20) words per minute, but such cases must be considered exceptional.

The code is very simple and very easily used at low rates of speed, the difficulty of using it increasing with the increase in speed, so that persons who reach ten (10) words per minute easily in a few days' practice find weeks of application necessary to increase that rate to twelve (12) or fifteen, (15.)

To illustrate the adaptability of this plan of field telegraphy to any emergency of the service, a field train, improvised from two (2) ambulances and a wood wagon, has been fitted up, and the board named by yourself to prepare a drill therefor has experimented therewith on three

(3) occasions, upon the last of which the erection, upon lances, and recovery or taking down of one (1) mile of line, over rough ground, was accomplished within fifty (50) minutes. When the drill shall have been adopted and the men exercised therein, I have no doubt that a single mile of line can be erected upon lances in fifteen (15) minutes, and a speed of three (3) miles per hour maintained for two (2) hours, with a force of twenty-two (22) men, exclusive of non-commissioned officers and drivers, and that the line can be taken down at the same or a quicker rate, without loss of material.

Very respectfully, your obedient servant,

JOHN C. VAN DUZER,

*Instructor.*

Brevet Brigadier General ALBERT J. MYER,

*Chief Signal Officer, U. S. A., Washington, D. C.*

#### SCHOOL OF MILITARY TELEGRAPHS AND SIGNALS,

*Fort Greble, D. C., November 3, 1868.*

GENERAL: In compliance with instructions received from your office, dated Washington, D. C., November 3, 1868, I have the honor to submit the following report:

Pursuant to Special Orders No. 33, dated Office Chief Signal Officer, Washington, D. C., September 7, 1868, I assumed command of a detachment of fifty (50) recruits, assigned to the acting signal corps of the army, per Special Orders No. 199, par. 14, dated War Department, Adjutant General's Office, August 20, 1868, at the depot in Washington, on the evening of September 8, 1868, and immediately marched to this post, arriving at 9 o'clock p. m.

I found the fort and surroundings in an almost ruinous state; the parapet broken and covered with the remnants of gabions and other *debris*, and the ditch, parapet, parade, and magazine covered with a rank growth of weeds. Immediately after my occupation of the fort I commenced repairs, putting the place in order and fitting up quarters for the men. The parapet was repaired, the gabions removed, weeds cut from the whole work, gates and other wood work thoroughly whitewashed, the old well covered, and all steps taken that could conduce to the better appearance of the fort and the comfort of the men.

The detachment was encamped on a plan previously submitted to you by Lieutenant E. H. Totten and myself; seventeen (17) wall tents have been erected in a substantial manner upon wooden frames, and the base of each thoroughly sodded, with a crib or frame surrounding the sodding to prevent displacement by frost or rains; a system of drainage has been established which effectually conducts all surface water from the work. A street has been built, running from the gate to the covered way, and also one from the main street through the encampment, and both thoroughly gravelled. There have been erected (in the same manner as stated in relation to the quarters of the men) two (2) hospital tents for use as recitation rooms; two (2) for the storage of property, and one (1) for use as a hospital. Also, two wall tents for the practice of electric telegraphy, which are in communication with each other by means of a line of telegraph. There have also been erected, outside of the fort, eight (8) wall and two (2) hospital tents for use as officers' quarters. A road has been built and thoroughly gravelled, running in front of them, and the tents are all well sodded and whitewashed.



Immediately following the arrival of the command at this post, I established a course of theoretical instruction in signalling, together with practical use of flag and torch. This I continued until, owing to the great amount of work to be done, all instruction was temporarily suspended by instructions from your office a few days after the occupation of the post; but by this time the whole command had become well versed in the alphabet of the general service code, and had thoroughly learned sixty-three (63) pages of the "Manual of Signals."

After the work was about completed, the instruction was resumed both in signalling and telegraphy, and has been attended, thus far, with the most gratifying results. Every man in the command has become well conversant with the drills, with signal equipments and duties of flagmen, as prescribed in General Orders Nos. 8 and 11 from your office. The non-commissioned officers have been instructed in sabre exercise, and also in cavalry tactics, including the school of the company.

Practical and theoretical instruction has been given daily in electric telegraphy. Nearly the whole of the command have received this instruction, and one class of twelve (12) men have become so proficient as to be able to take charge of a field station. The course of instruction has been in both signalling and telegraphy very comprehensive and thorough, and no pains have been spared to give every man a complete understanding of the principles of each.

In connection with my duties as officer in charge, I have, until within the past two weeks, acted as instructor of the whole command, teaching each class personally; and since receiving assistance from other officers, the whole has been under my personal supervision. Being under instruction myself, I have frequently been called upon to take charge of the signal station in communication with the office, and to work the station for several successive days.

There has been since the establishment of the school from one to five officers here on duties of instruction, under the immediate control of the instructor commandant, and they have been at all times prompt and faithful in the discharge of their duties, and have rendered every assistance in their power to the officer in charge in conducting the different duties devolving upon him.

I have the honor to be, general, very respectfully, your obedient servant,

S. C. PLUMMER,

*Capt. 26th U. S. Inf., Acting Signal Officer U. S. A., in charge.*

Brevet Brigadier General A. J. MYER,

*Chief Signal Officer U. S. A.*

OFFICE OF THE CHIEF SIGNAL OFFICER,  
Washington, D. C., October 30, 1868.

SIR: I have the honor to submit the following report upon the arrangement adapted to one of the field telescopes of the signal service, by which the distances from the observer of a man or any other object, for which a scale has been prepared, may be very accurately shown:

The principle and construction of this improvement are very simple, and it may be readily adapted to the instruments now in use with comparatively small expense, and with no material increase of bulk or weight. The spider lines do not interfere with the ordinary use of the glass, and as their proper use is only limited by the obscurity of the atmosphere, I think the new instrument will prove of great service in the field for pur-

poses of reconnoissance. This arrangement, (as shown by the accompanying drawing,) consists of two spider lines placed in the focus of the eye-piece, which have a vertical motion from the centre of the field, this being regulated by a gradually increasing scroll or spiral cut in a plate, and which, when revolved about two projections upon the plate in which the spider lines are set, depresses them, or allows the spring to act, which throws them apart. The drawing will show the working of the different parts. The scale, which is graduated by experiment, is shown upon the cylinder containing the spiral and movement. It is made at this office by the use of the graduated staff shown in Fig. "D," which is placed at 300 yards from the glass, and the spider lines being made to successively contain the parts of the staff between the top and the several marked divisions, the scale is made actually correct. The scale upon the staff is graduated upon the principle that the apparent size of the object is inversely proportional to its distance.

The idea of this improvement is taken from a French glass, which, however, has been very much improved upon—a double motion being given to the spider lines instead of having one of them fixed; the whole instrument is simplified, and the parts made mathematically correct.

I think these instruments may be considered as sufficiently reliable for the height of a man (five feet six inches) as far as 8,000 yards, and would respectfully recommend that a limited number of them be made and given a thorough trial.

I am, sir, very respectfully, your obedient servant,

EDWARD K. TOTTEN,

*First Lieutenant 34th Infantry, Acting Signal Officer.*

The CHIEF SIGNAL OFFICER OF THE ARMY,

*Washington, D. C.*

#### OFFICE OF THE CHIEF SIGNAL OFFICER,

*Washington, D. C., November 1, 1868.*

GENERAL: I have the honor to report that, in accordance with the previous official request of the Danish government, First Lieutenant F. Buckwaldt, general staff royal Danish army, was, on February 4, 1868, placed under instruction in the United States system of military signaling; that by the 4th of March following he appeared to have acquired a sufficient theoretical knowledge of the system, and was accordingly relieved from further attendance here.

In addition to the instruction of Lieutenant Buckwaldt, the Danish government was furnished, on February 27, 1868, by order of the War Department, with a complete set of the United States signal apparatus.

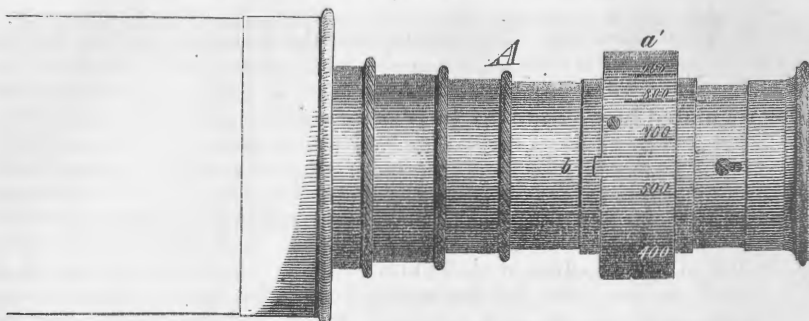
I am, general, very respectfully, your obedient servant,

L. B. NORTON,

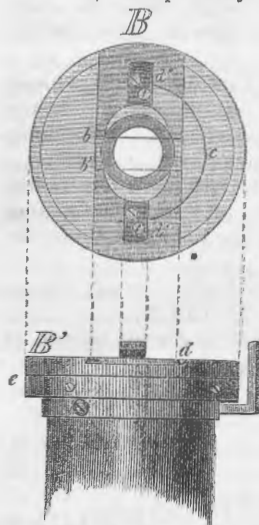
*Brevet Major U. S. A., Acting Signal Officer.*

The CHIEF SIGNAL OFFICER OF THE ARMY,

*Washington, D. C.*



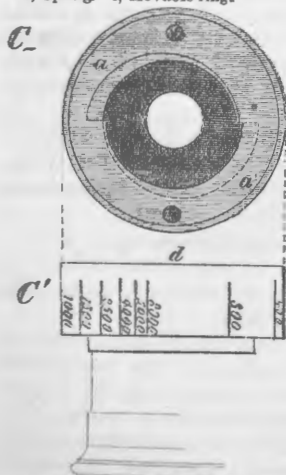
*A*, Telescope and adjustment, reduced one-third. *a'* Graduated cylinder. *b*, Fixed index.



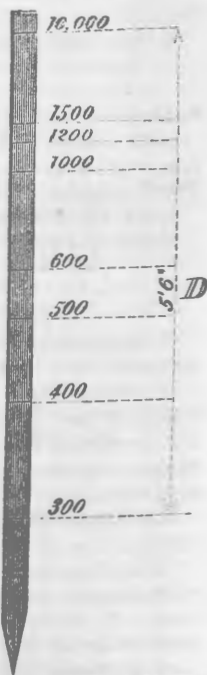
*B B'*, Immovable plate, holding spider lines.

*B B'*, spider lines set in the plate *a a'*, which move in the grooves *d*.

*e*, Spring. *c*, Movable ring.



*C C'*, Cylinder showing the spirals *a'* and scale *d*.



*D*, Staff graduated for use at 300 yds and for the height of a man, (5' 6".)

# REPORT

## OF

# THE QUARTERMASTER GENERAL.

QUARTERMASTER GENERAL'S OFFICE,  
Washington, D. C., October 20th, 1868.

SIR: I have the honor to submit the annual report of operations of the quartermasters' department during the fiscal year ending 30th June, 1868.

On the 1st of July, 1867, the balance of appropriations to credit of this Department in the Treasury undrawn was, by report of the acting Quartermaster General for the last fiscal year.....		\$19,179,345 55
Appropriations for deficiencies in the fiscal year, 1868..		12,000,000 00
Amount deposited to the credit of appropriations on account of sales and requisitions cancelled during the fiscal year, 1868.....		5,841,270 61
		<hr/> \$37,020,556 16
Remittances to officers for disbursement. \$33,107,412 57		
Requisitions on account of settlements in the treasury.....		3,398,968 96
		<hr/> 36,506,381 53
Balance of appropriations of the quartermasters' department, July 1st, 1868.....		514,174 63
Appropriations for the fiscal year, 1869.....		14,225,000 00
Total amount of appropriations available for disbursement by the quartermasters' department during the fiscal year ending 30th June, 1869.....		<hr/> \$14,739,174 63 <hr/> <hr/>

A statement of accounts received and examined during the year will be found in a table at the end of this report.

A severe illness early in 1867 compelled my absence during nearly the whole of the fiscal year, and the duties of this office were administered by Assistant Quartermaster General D. H. Rucker, colonel and brevet major general, who was assigned to duty as acting Quartermaster General during my absence.

I returned to duty on the 6th June, 1868, a short time only before the termination of the fiscal year.

This department is charged with the duty of providing means of transportation by land and water for all the troops and for all the material of war. It furnishes the horses for artillery and cavalry, and the horses and mules of the wagon trains. It provides and distributes tents, camp and garrison equipage, forage, lumber, and all materials for camps and for shelter of the troops and stores. It builds barracks, hospitals, and store-

houses; provides wagons and ambulances, harness, except for cavalry and artillery horses; builds or charters ships and steamers, docks and wharves; constructs and repairs roads, railways and their bridges; clothes the army; and is charged generally with the payment of all expenses not expressly assigned by law and regulation to some other department.

Arms, ammunition, medical and hospital stores, and subsistence stores, are purchased and issued by other departments, but the quartermaster's department transports them all to the place of issue in camp, garrison, or in the field, and on the field of battle. These duties have been efficiently performed during the year.

The officers of the corps are not numerous enough to perform its duties at every post or station, and it has been obliged to call upon many officers of the line, who have been detailed to serve as acting assistant quartermasters, even in positions in which they have been charged with the disbursements of large sums of money.

It would be true economy to confine this duty at all important posts to the regularly appointed and bonded officers of the department, whose character and qualifications, whose experience and ability are known at headquarters. Under the present system, officers with little experience in public accounts, or in construction, are charged with the expenditure of large sums of public money, with the erection of military buildings, and with the provision of transportation for supplies and troops.

These duties cannot be so safely, surely, and economically performed by them as by persons of experience.

The points at which such expenditures take place are distant, the necessity for action in the wilderness where troops are exposed on first taking position, without adequate shelter to preserve health, is urgent, and before this office can regulate or restrain such expenditures the mischief is done.

I repeat the recommendation of the acting Quartermaster General in the last annual report, that "so much of section thirteen of the act to increase and fix the military peace establishment of the United States, approved July 28, 1866, as provides that 'after the first appointments made under the provisions of this section, as vacancies may occur in the grades of major and captain in the department, no appointments to fill the same shall be made until the number of majors shall be reduced to twelve, and the number of captains to thirty, and thereafter the number of officers in each of said grades shall continue to conform to said reduced numbers,' be repealed, and that there be added to the quartermasters' department so many assistant quartermasters, with the rank, pay, and emoluments of captain of cavalry, as will raise the number of officers of that grade to fifty, and that the vacancies thereby created in the grade of assistant quartermasters shall be filled by selection from those persons who have rendered meritorious services in the military service of the United States as assistant quartermasters of volunteers in the late war."

This recommendation of this office was approved and adopted in his annual report by the Secretary of War, then *ad interim*, the General of the army of the United States.

There can be no doubt that at all positions where the annual expenditure of this department exceeds \$100,000, it will be more economical to have a trained and experienced bonded officer to control it than one without experience.

The pay and allowances of a captain, assistant quartermaster, do not amount to two per cent. upon such an expenditure, and were these officers available, an equal number of company officers now separated from their

companies, and whose presence is much needed with the companies, could be returned to their appropriate duties.

There will always be many more posts at which the services of quartermasters are needed than there will be officers of this department available, and these will afford to young line officers the opportunity of practice in the duties of the quartermasters' department at less expense to the treasury than now, when they are placed in more important positions from absolute necessity.

From officers who have in such positions shown aptitude for the duties of the department, its ranks can hereafter be recruited.

#### OFFICE ROOMS.

This office stills occupies the building known as the "Art Building," opposite the War Department building. It is conveniently situated, and well adapted to the purpose of a public office, but it is private property. The owner desires to have possession of it, proposing, it is understood, to complete and fit it up for the purpose of establishing a public art gallery, for which it was commenced before the war.

It is very desirable that other accommodations should be provided for this and for other branches of the War Office.

I have, in former reports, submitted projects for providing such accommodations, and a project for the erection of a War Department building, to accommodate all the branches of the War Office, has, under direction of Congress, been prepared.

No final or favorable action has, however, as yet, been taken by Congress on any of these projects, and I know of no building within convenient distance of the War Department which can be obtained for this office in case it is obliged to vacate the one it now occupies. Action to provide suitable accommodations for the various branches of the War Department, including this office, is urgently needed.

#### TRANSPORTATION.

Brevet Brigadier General J. J. Dana has been in charge, under the acting Quartermaster General, of the transportation branch of the office, including transportation both by land and water, and also of the settlement of the accounts of railways for such transportation, and of payments on account of the debts of southern railroad companies for railway stock and materials sold to them under executive orders at the close of the war. Detailed statements accompany his report.

Under executive orders there was sold on credit to various railroads, after the termination of the war, rolling stock and other railroad material of the quartermasters' department to the value of .....	\$7,326,376 02
Under the terms of sale interest has accrued up to September 30, 1868, to the amount of .....	1,181,010 50
Making the total debt and interest .....	8,507,386 52
The payments on account to September 30, 1868, are ....	3,879,690 75
Leaving a balance due September 30, 1868, of .....	<u>4,627,695 77</u>

Of the \$3,879,690 75 paid, \$1,599,022 67 was paid during the fiscal year ending June 30, 1868, and the first quarter of the fiscal year ending September 30, 1868.

Sixteen railroads have paid in full their indebtedness to the United States on this account. They are: Petersburg; Virginia Central; Virginia and Tennessee; Mobile and Great Northern; Memphis and Charleston; New Orleans, Jackson and Great Northern; Mississippi Central; Montgomery and West Point; Rome; Western and Atlantic; Richmond, Fredericksburg and Potomac; Georgia Railroad and Banking Company; Southwestern; Macon and Western; South Carolina; Muscogee.

Many roads have shown a disposition to discharge their debt faithfully and honestly; some have been obliged to ask for and have obtained extensions of time, in consequence of losses by floods or diminished business and revenue, due to the disturbed condition of the southern States. Others appear to hold off in hopes of being relieved by Congress or in some other way from the payment of this just debt, for which they have pledged their faith and given bond to the United States.

A full statement of the names, debt, and payments of the several indebted railroads is contained in the tables with this report.

It will be seen that the sum thus far received from this source is about 60 per cent. of the total value of the property sold on credit.

It will also be seen by the tables herewith that nearly two-thirds of the total amount yet unpaid is the debt of four roads in Tennessee, the Nashville and Chattanooga, Nashville and Northwestern, the Memphis, Clarksville and Louisville, and the East Tennessee and Georgia.

For a history of the attempts made to collect the balance of the debt, I refer to the report of General Dana herewith.

#### RAILROAD TRANSPORTATION.

Satisfactory arrangements have been made with railroad companies for the transportation of troops and material.

The uniform and general rates adopted during the war have not been maintained. No longer bound by the great duty of aiding the government in its danger, the railroads have insisted upon treating separately with the department, and the public business is now done under the general tariff rates of the respective companies, except when in view of any large movement the department can secure time for inviting proposals from competing routes, which frequently obtains a reduction of the price.

Much of the transportation has been done over roads indebted to the government, and the sums thus earned have been credited as payments of that debt, and have not been drawn from the appropriations.

Of the sums earned by the Pacific railroads, one-half is paid in cash, and one-half credited on the bonds issued by the United States in their favor.

The reports received at this office show a movement by railroads, other than the Pacific railroad, of 90,000 tons of freight, at a cost of \$289,221 77; 40,000 persons, at a cost of \$484,122 47.

The Union Pacific railroad has, since June 30, 1867, and to September 30, 1868, transported for the department 20,777 tons of munitions of war, and 7,415 persons, for which it has been allowed and paid \$1,070,655 85.

The Union Pacific railway, eastern division, in the same period has moved 15,570 tons and 6,395 persons, and has been paid therefor \$531,275 24, one-half in money, the other half credited on the bonds.

The extension and use of the Pacific railway have very much diminished the cost of transportation along its line, and to most of the older posts in the Missouri country; but as the army is employed to protect

settlements, and to occupy positions to overawe the predatory and hostile savages, new posts are constantly established off from the line of the railway, and the transportation to these posts must still be carried on by trains of wagons.

Most of this work is done by contract. This diminishes the number of animals to be kept with the army, and of stores to be transported, and there can be no doubt that it is generally the most economical mode of supplying troops remote from railroads or from navigable streams.

The reports of the service, generally in distant and wild Territories, are as yet imperfect. We have accounts of the movement by wagon trains of 22,000 tons of munitions, at an aggregate cost of \$2,530,591 26.

About \$33,000 have been paid for transportation of troops by stage during the fiscal year.

#### WATER TRANSPORTATION.

The fleet of transports, over 1,000 strong which attended and moved and supplied the army during the rebellion, has been dispersed, and the vessels have been sold.

Twenty-seven vessels of all kinds owned by the United States have been in the service of the department during the year, or parts thereof. Thirty-nine vessels have been under time charters at various times.

Three steamers and four sailing vessels sold at auction during the year produced \$32,539 75.

The cost of chartered vessels during the year was \$150,330 16, exclusive of freight paid to vessels not under time charters.

The movement by vessels not owned or run by the government has been—

##### *By ocean and lake.*

Persons.....	8, 846
Animals.....	489
Freight, (tons).....	32, 803

##### *By river.*

Persons.....	24, 163
Animals.....	2, 058
Freight, (tons).....	700, 200

##### *Costing.*

By river.....	\$965, 401 40
By ocean and lake.....	705, 314 22
Total.....	<u>\$1, 670, 715 62</u>

There have been transported by vessels owned or run by the government—

##### *By ocean and lake.*

Persons.....	317
Freight, (tons).....	1, 031

##### *By river.*

Persons.....	48, 206
Animals.....	27
Freight, (tons).....	9, 100



Thus the total movement by water has been—

Of persons.....	81, 532
Animals.....	2, 574
Freight, (tons).....	743, 136

A steamer, upon a requisition from the military division of the Pacific, has been purchased from the Navy Department, to be employed as a transport between San Francisco and Alaska.

The Newbern, of 920 tons, costing \$35,000, is now in New York, and will sail in a short time for San Francisco.

There have been received at this office for settlement during the fiscal year 4,791 accounts for transportation, amounting to..... \$4, 913, 154 20

The total number in the office, and received during the year, was 7,370, amounting to..... \$6, 045, 652 53

Of these, there have been ordered paid 3,101, amounting to..... \$4, 101, 412 09

Rejected, 593, amounting to..... 624, 339 61

Referred to other branches of the executive departments, 371, amounting to..... 80, 234 19

Awaiting final action on 30th June, 1868, 3,305, amounting to..... 1, 239, 666 64

Total..... \$6, 045, 652 53

#### INSPECTION.

The operations and records of the inspection branch of the office have been, during the fiscal year, under the direction of the acting Quartermaster General, in charge of Brevet Colonel H. A. Royce, assistant quartermaster United States volunteers, since the expiration of the year honorably mustered out of service. A special report thereof by Colonel Royce is herewith submitted.

The books of this office contain a record of the services, the military history of the officers who have done duty in the department, now nearly completed to date.

This branch of the office receives and examines the reports of inspections of property reported as unserviceable, the reports of boards of survey. It also prepares records, and distributes the general and special orders of the department, and orders received from the Adjutant General's office for distribution. Its chief acts as adjutant general of the corps. Details are fully set forth in the accompanying report of Colonel Royce.

Over 2,600 reports of inspection and proceedings of boards of survey have been acted on, and 127,000 orders and other papers have been distributed by this branch of the office during the year. An annual report of officers of the department in tabular form, and a list of officers in the department who have been promoted by brevet during the year, are with the report.

#### CAVALRY AND ARTILLERY HORSES.

Officers on duty in Texas, in which district a large portion of the cavalry of the army must for some years continue to be employed, report that horses of the native stock, though hardy and wirey, are not stout

enough to last under the severe duty to which our cavalry horses in the pursuit of Indians are subjected.

The northern horse, bred in Missouri, Kentucky, or Virginia, or the States still further north, requires a year's residence in Texas before he becomes acclimated. If put to severe work at once on arriving in the State he breaks down. After a year he seems to become acclimated, and then will outwear in this service several of the native horses.

It is recommended that a stock farm be established at some healthy position, and that there be kept there a year's supply of horses for the district. It is stated that many of the northern horses taken to Texas by the volunteer cavalry regiments, and left in that State on the discharge of the regiments at the termination of the war, are still sound and serviceable, while two or three sets of native horses bought in Texas have worn out alongside of them.

Horses and cattle seem to multiply and to thrive in Texas, if native born. As our best horses are descended from the Arab or the Barb, natives of a climate hotter and more arid than that of Texas, I believe that the difficulty is not in the climate, but in the breed.

I am of opinion that it would be greatly to the advantage of the service were a stock farm established for the department in Texas, and one also on the western plains. To these, horses unfit for duty could be sent to recover. All the mares now in service fit for breeding could be collected at those two points, and if money were appropriated for the purchase of a few good stock horses, in a few years these farms would supply the country with reinounts at much less than the present cost, and with animals of better quality and acclimated by birth in the district in which they are to serve.

The surplus mares could be sold, and being of good blood would tend to improve the quality of the horses of the country. Thus a benefit, whose value cannot be estimated, would be conferred upon the farmers of the west and southwest.

The average cost of the cavalry horses bought during the fiscal year has been one hundred and forty-two dollars, (\$142;) of artillery horses, one hundred and fifty-five dollars, (\$155;) to which is to be added the cost of transporting them from the districts in which they were purchased.

There were purchased during the fiscal year 2,741 cavalry and 72 artillery horses, and 2,864 mules, costing \$788,971 25.

There were in the military service on the 30th June, 1868—

In regiments and detachments.		In depot.	Total.
Cavalry horses.....	8,033	1,400	9,433
Artillery horses.....	705	44	749
Wagon trains.....	300	1,001	1,301
Officers' private horses.....	1,802	.....	1,808
	10,846	2,445	13,291
Mules.....	3,203	14,663	17,866
Oxen.....	23	182	211
	14,072	17,296	31,368

To keep up such a herd the expense of two stock farms, such as are kept up by most nations which have large cavalry forces, would undoubtedly be well applied.

I recommend that an appropriation of \$50,000 be asked for the purchase of land in Texas and of breeding animals.

In the department of the Missouri there is land enough which is the property of the government, and which can be set aside as a military reservation without cost.

#### BARRACKS AND QUARTERS—HOSPITALS—MILITARY BUILDINGS.

During the fiscal year authority has been granted for the construction of 143 buildings—temporary barracks, hospitals, quarters, storehouses, &c.—and upon them there has been expended \$470,170. These buildings are at military posts in Maine, Massachusetts, Rhode Island, New York, Maryland, District of Columbia, Virginia, Georgia, Texas, Kansas, Michigan, Indiana, and Colorado and New Mexico Territories. Three thousand three hundred and fifty-six buildings are occupied by the army, besides the works of permanent fortifications.

In repairs of public buildings at military posts, \$79,000 have been expended. Authority has been given for the expenditure of \$189,637 60 upon the completion of certain buildings at military posts on the frontier of Texas.

During the past year one of the important and expensive operations of the department has been the construction of the new military posts on the frontier of Texas—Forts Davis, Concho, Griffin, Richardson, Stockton, Chadbourne, Belknap, and Buffalo Springs.

The first location of some of these posts proved unfortunate. Want of water in the hot season, or of timber, compelled changes in their location after considerable expenditures in constructing or in forwarding workmen and materials.

Buffalo Springs, Chadbourne, and Belknap were thus abandoned.

This was due, doubtless, to want of special local information as to the topography and resources of the district.

A board of officers, ordered by the commanding officer of the district, finally selected sites to which the workmen and machinery were transferred, and good progress has since been made.

In this case the expenditure would have been less, had this department been able to send an experienced officer to take charge at each post of the operations it was ordered there to carry on.

As the subject is of importance, and has attracted the attention of the army, I submit, with this report, extracts from the reports of Brevet Colonel J. G. C. Lee and of Brevet Colonel Strang, officers of this department, who were charged with the execution of the orders for the construction and supply of these posts.

These extracts give a full statement of the facts and of the expenditures to the end of the fiscal year.

The total number of buildings reported to this office as now occupied for military purposes is 3,356. Many of these, however, particularly upon the western frontier, are very rude structures.

Orders have been issued for sale during the year of 331 buildings, and 108 buildings have been transferred from this department to the Freedmen's Bureau at appraised values.

#### FIRE-PROOF STORE-HOUSE AT PHILADELPHIA, SCHUYLKILL ARSENAL

An appropriation of \$146,000 was made in July, 1866, for the erection of a fire-proof store-house at the Schuylkill arsenal, Philadelphia. Proposals were duly invited for the construction of the building within

the appropriation, but during the time which had elapsed between the preparation of the plans and estimates upon which the appropriation was asked for and the actual appropriation of the money, all labor and materials required in the building trade had advanced, and no constructor offered to construct the building for the sum appropriated.

Under these circumstances, the plans were modified by the omission of certain portions, which, though useful, were not indispensable to the construction of the store-house. One floor was omitted, and some modification of the specifications was made to reduce expense. One of the firms, bidding under the advertisement, entered into contract to construct the building and to complete it within the appropriation.

The storehouse has been completed, and is now filled with clothing to a great value. The storage capacity is about 1,500,000 cubic feet, which has cost about ten cents per cubic foot. No combustible material enters into the construction of the building, which is as nearly fire-proof as any storehouse can be.

The contractors have presented a very large claim for extras under their contract, which, if allowed, would increase the cost far beyond the original estimate, or the appropriation, or the sum for which they contracted to complete it entirely. This claim has not been allowed.

#### REGULAR SUPPLIES.

On the 30th June, 1867, there were in store for consumption 129,434 bushels of corn, 202,649 bushels of oats, 8,200 tons of hay, 692 tons of straw.

There have been purchased and issued, in addition, during the year, 1,438,292 bushels of corn, 952,886 bushels of oats, 50,367 tons of hay, 1,525 tons of straw.

Thus, the total consumption of forage during the fiscal year has been, 1,567,726 bushels of corn, 1,855,535 bushels of oats, 58,568 tons of hay, 2,217 tons of straw.

The hay upon the western plains is in a great measure put up by the labor of the troops; but in the southern States, owing to scarcity, or climate, or disorder, a great part of these agricultural products are most cheaply supplied by purchase and shipment from northern districts.

The consumption of fuel during the year has been 119,973 cords of wood, and 32,425 tons of coal.

The business relating to barracks and quarters, military buildings, regular supplies, and purchase of animals, cavalry and artillery horses, and mules for the trains, and the investigation of the claims for quartermasters' stores, and for stores taken during the war for military service, under the acts relating to the examination and settlement of such claims, have been during the fiscal year under charge of Lieutenant Colonel J. A. Ekin, deputy quartermaster general, under the direction of the acting Quartermaster General. His report in detail is submitted herewith:

#### CLAIMS FOR REGULAR AND MISCELLANEOUS SUPPLIES, ANIMALS, TEAMSTERS' SERVICE, BUILDINGS, AND LABOR.

There were on the 30th June, 1867, in the branch of the office having charge of the above subject, 15,338 claims, amounting to .....	86,575.144 35
There were received during the fiscal year, 4,838, amounting to .....	3,627.054 37
Total, 20,176 .....	10,202,198 72

There have been passed 496 claims, amounting, as approved, to .....	\$500,313 28	
Being a reduction of the amount as claimed of .....	141,761 88	
There have been rejected 1,574, amounting to .....	2,654,430 38	
There are suspended, awaiting further proof or explanation, 5,394 claims, for .....	6,592,706 92	
And there remained on the 30th June, 1868, 376 claims, not yet acted on, amounting to .....	312,984 26	
	<hr/>	\$10,202,198 72

The investigation of these claims is difficult and delicate. Proof of facts and of loyalty of the claimants is required under the law; and extensive correspondence and investigation is necessary to guard against fraud upon the government, and to secure justice to loyal and honest claimants.

I have heretofore recommended some special legislation in the nature of a commission to examine and adjust these claims, taking evidence in the locality where they originated, but without success.

The duty is in a measure judicial, and while meritorious claimants must suffer from the delays in procuring proof satisfactory to this department, it is to be feared that some fraudulent and forged claims are presented, with such documentary proof as to succeed.

The law now makes it the duty of the Quartermaster General to examine them, and if satisfied that the property was used by the army, and of the loyalty of the claimants, to refer the papers to the Third Auditor, with recommendation for settlement.

#### CLOTHING AND EQUIPAGE.

The large stock of clothing and equipage on hand at the termination of the war has sufficed, and will still for some years suffice to supply all the more important articles of equipment, sales of materials, surplus, and liable to decay, if kept long in store, and of those which, on inspection, have been found in bad condition, have furnished the means to meet all the expenditure necessary for the care of the stock on hand, and for purchase of such new articles as have been needed.

No appropriation for clothing of the army has been asked since the end of the war, and none will be needed for the next fiscal year.

Several depots have been closed during the year, and the material stored has been sold or transferred to other depots, which it is still believed to be necessary to keep up. The material from the New York depot has been sold or transferred to the Schuylkill arsenal, where the new fire-proof warehouse erected during the past year affords secure storage, and this depot closed.

The depot of clothing and equipage at St. Louis has also been discontinued. The material not sold has been transferred to Fort Leavenworth, which must for some years continue to be the principal depot for supply for the troops in the military division of the Missouri. Other minor depots have also been closed, and the great bulk of the stock is now stored in arsenals and storehouses, the property of the government, and the expenses for rent and watchmen are correspondingly reduced.

The expenditure on account of clothing and equipage during the fiscal

year was \$384,581 41, which sum includes clerk hire, rents, labor in packing, repacking, and shipping, and materials for bales, boxes, &c.

Issues are now made, as far as practicable, from the depot at Jeffersonville, Indiana, with the intention of reducing the stock there so as to allow of that depot being also closed, when the temporary buildings erected during the war will be sold, and the lease of the site will be terminated.

An appropriation of \$150,000 was made in March, 1867, for a fire-proof storehouse at the Jeffersonville depot, but no authority to purchase land was contained in the law. During the past year, however, under the orders of the Secretary of War, very large sales of surplus material have so far reduced the stock of clothing and equipage that it has been determined not to maintain beyond a few years this depot. The appropriation has, therefore, been reported to the Treasury Department to be carried to the surplus fund.

At the present rate of distribution and sale, the temporary buildings now used at Jeffersonville will last as long as they are likely to be needed.

During the past year the sales of surplus and of damaged clothing and equipage have produced the sum of \$3,934,631 65, which has been deposited in the treasury to the credit of the appropriations.

The principal sales have been made under authority of the Secretary of War, at Boston, New York, Philadelphia, and other large commercial centres. Full statements in tabular form of the articles sold, and of the amount received therefor, accompany this report.

Under the act of 22d March, 1867, gratuitous issues of clothing have been made to the inmates of all the regularly constituted soldiers' homes which come under the provisions of the act. Sales of similar articles have also under authority of the Secretary of War been made to these institutions. Tables accompanying this report give the quantities and amounts of such issues and sales.

#### CLAIMS FOR CLOTHING AND EQUIPAGE.

Claims for clothing and equipage alleged to have been delivered to and used by the army to the amount of \$15,962 87 have been presented to this office during the year. Of these six, amounting to \$950 54, have been allowed under the act of July 4, 1864, and transmitted to the Third Auditor, with recommendation for settlement. Four, amounting to \$3,489 33, have been rejected; and seven, amounting to \$11,523, are not finally adjusted, but await further proof.

A large claim presented by certain contractors for damages under the action of this department in rejecting cloth as not of the strength required by the specifications of the contracts has been rejected by this office, and the contractors have appealed to the Secretary of War.

The reports and returns of the clothing and equipage issued during the year are regularly received, examined in this office, and sent to the Second Auditor with remarks for final settlement. This work is kept nearly up to date.

Nearly 23,000 returns and vouchers pertaining to officers' returns of clothing and equipage have been received, examined and transmitted to the Auditor during the year, and 42,000 letters have been written and despatched from this branch of the office.

The branch of clothing and equipage has continued under the charge of Brevet Brigadier General A. J. Perry, who has with signal ability conducted it from the beginning of the war.

## NATIONAL SOLDIERS' CEMETERIES.

The national cemeteries, and the collection therein and identification of the remains of the soldiers who fell upon the battle-fields and along the lines of military operations, have engaged a large share of the attention of this office since the termination of the war. Under the immediate direction of the chief of the department, the supervision of these operations has been intrusted to Brevet Colonel C. W. Folsom, assistant quartermaster of volunteers, who remained in service till after the close of the fiscal year. His report and the tables accompanying it are herewith submitted, and give in detail the history of the operations and their results. The total number of national cemeteries reported is 72, and we have reports from 320 local, post, or private cemeteries. The total number of graves reported is 316,233. The occupants of 175,764 are satisfactorily identified.

The estimated aggregate cost of disinterment, transfer, and reinterment, of purchase of sites and of fencing, grading, and draining the cemeteries, and of marking the graves to the 30th June last, is \$2,680,845 64. The estimated expenditure for the next fiscal year is \$538,655 64.

This amount is large, but the remains of the dead lay scattered over the whole south, and many had to be collected from remote places, and carried to central cemeteries. Many also died at the great depots for recruiting and organizing our armies, and at the hospitals, which towards the close of the war were established in almost every loyal State, so that the work extended over almost the whole settled territory of the United States.

I do not concur in all the recommendations of Colonel Folsom.

I do not think the appointment of superintendents of a higher grade than now allowed by law necessary. Among the disabled soldiers will doubtless be found men of sufficient education and capacity to take charge of the largest of these cemeteries—men who will gladly avail themselves of such positions as shelter for their declining years.

I do not concur in the proposition to apply to the legislatures of the States for money for monuments in these cemeteries. The national government has taken charge of these sacred remains. They fell in the defence, not of the States, but of the nation, and the nation should make the expenditures necessary for their proper and tender preservation.

Any memorials which the States or which individuals may desire to offer for the decoration of these cemeteries, or for the designation of individual soldiers, or of the remains of members of particular corps or regiments, should, if in good taste, be accepted, and even erected by the government. But all expenditures and all control of the cemeteries should remain as now in charge of the officers of the United States.

There have been published at this date 15 rolls of honor. Five more are in the hands of the printer. It is supposed that six more numbers will complete the work. They contain the names of nearly 200,000 deceased soldiers, with the record of their places of interment, and a list of over 100,000 graves, the remains in which as yet unknown may from existing records be hereafter identified by their comrades and friends.

A careful register of the place whence each body has been removed, of the place where it is reinterred, and of all articles found about it which can serve as means of identification, is kept, and is accessible to all inquiry.

No progress has been made in erecting, as required by law, permanent blocks at each grave.

I am still of opinion that the best monument for this purpose yet con-



trived is the small rectangular block of cast iron, galvanized to protect it from rust, and filled with earth or cement.

This planted at the grave will last for many years. It is not costly, is easily transported, is not an object of plunder.

With the wages of stone-cutters at \$5 a day, the cost of 320,000 head-stones properly lettered would be a very great charge upon the treasury.

The wooden head-boards are now rapidly decaying, and to replace them is expensive.

For the action of the department in this matter, I refer to the detailed report of Colonel Folsom herewith.

The effect of the joint resolution of the 30th March, 1868, by which the decision of the accounting officers of the treasury upon any account is made final and obligatory upon the Secretary of any department, should be brought to the notice of Congress.

The uniform practice of the government, as shown by repeated decisions of the Attorney General's department, had been to place in the heads of the executive departments a higher authority than in the Comptroller and Auditor.

Occasionally, when differences arose, it had happened that a Secretary or cabinet minister had ordered a payment or the allowance of an account to which the Comptroller had objected. The decision of the officer of highest rank had, however, been maintained. The Comptroller had authority to overrule the opinion of the Auditor, but the Secretary was above the Comptroller.

Such cases of differences, however, are believed to have been few and unimportant.

Under the joint resolution of 30th March, 1868, final control of the expenditures of the appropriations for the military service is taken from the Secretary of War, and authority to overrule the decision of the cabinet minister is given to the Comptroller.

Many claims rejected by the War Department have been allowed by the Comptroller; some of them maintaining the validity of contracts made without authority by officers of the quartermasters' department, even made in direct violation of orders.

The consequences are so grave that it would seem to be proper to call the attention of Congress to the law and to its effects.

The expenditures of the army and its losses are of late years greatly increased by the furnishing of improved arms and ammunition to the Indians.

It is said that they fight now in line of battle, and some hundreds having lately surrounded a distinguished officer and his gallant little band, were able to expend some thousands of cartridges in the attempt to re-enact the massacre of Fort Phil. Kearney.

As a measure of humanity to our own men, whom they murder, and to our own women, whom they violate with all the aggravations of savage barbarity, the supply of arms to any Indian, not a citizen of the United States, should be prohibited by legislative enactment, under severe penalties.

It is a question whether as a measure of peace in the future it would not be proper to make it the duty of the army to take from every Indian, not a citizen, whenever it may be in the power of army commanders to do so, all fire-arms and ammunition therefor of whatever kind.

The arrow is a sufficiently effective weapon in the chase of the buffalo. But though in a close fight, when a small body of troops is surrounded by many savages, it is also effective in war; its possession does not tempt the savages to attack as does that of the revolvers and breech-loaders with which so many of them have, since the rebellion, been supplied.



Let them have arms for the chase, but not for war. This is true humanity to both parties.

Govern them as other dangerous and barbarous classes in the country are governed, by police measures, not by treaties.

All of which is respectfully submitted.

M. C. MEIGS,

*Quartermaster General, Brevet Major General U. S. A.*

Brevet Major General J. M. SCHOFIELD,

*Secretary of War.*

QUARTERMASTER GENERAL'S OFFICE,  
Washington, D. C., November 13, 1868.

*Addenda to annual report of the Quartermaster General for the fiscal year ending June 30, 1865.*

Charles Parsons, brevet lieutenant colonel volunteers, March 13, 1865.

*Addenda to annual report of the Quartermaster General for the fiscal year ending June 30, 1866.*

Lewis B. Parsons, brevet major general volunteers, April 30, 1866.

*List of papers accompanying the annual report of the Quartermaster General of the army of the United States, for the fiscal year ending June 30, 1868.*

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QUARTERMASTER GENERAL'S OFFICE,  
Washington, D. C., October 20, 1868.

On the 30th June, 1867, there remained charged to disbursing officers to be accounted for accounts and vouchers, not then examined and passed upon by this office, of..... \$61,432,210 33

To which are to be added -

1st. Remittances in July, 1867.....	\$2,382,764 93
Remittances in August, 1867.....	2,532,105 11
Remittances in September, 1867..	5,798,449 21
Remittances in October, 1867.....	2,391,673 55
Remittances in November, 1867..	2,671,574 35
Remittances in December, 1867..	2,660,097 81
Remittances in January, 1868.....	1,358,134 96
Remittances in February, 1868.....	4,101,996 84
Remittances in March, 1868.....	1,577,055 13
Remittances in April, 1868.....	1,691,806 73
Remittances in May, 1868.....	3,673,714 47
Remittances in June, 1868.....	2,265,039 48

33,107,412 57

2d. Proceed of sales of property, rents of buildings, &c..... 3,894,384 39

For national cemeteries.....	\$975,420 72	
For recruiting service.....	2,068 32	
For secret service.....	2,800 05	
For reconstruction .....	505 68	
For special service.....	6 41	
For Paris Exposition.....	4 00	
	<hr/>	\$1,328,154 81
		\$52,976,085 23
Less amount refunded on account of over-payments, errors, &c., in officers' accounts, viz.....		55,690 37
Total .....		<hr/> 52,920,394 86

From the above statement it will be seen that during the past year accounts to the amount of \$52,920,394 86, have passed the official examination of this office prior to transmission to the treasury for final examination and settlement. They number 3,136; and at this date, October 20, 1868, 2,943 accounts remain in this office to be examined, relating to disbursements, including the amount returned to the treasurer of the United States, amounting to \$33,970,867 96. These accounts also contain acknowledgments of remittances from the treasury amounting to \$34,912,039 71; and of receipts from other sources \$3,952,416 22.

During the year preceding the last annual report from this office, the accounts examined and transmitted to the treasury, as will be seen by reference to the corrected statement for the fiscal year 1867, covered disbursements to the amount of \$310,090,641 69.

QUARTERMASTER GENERAL'S OFFICE,  
Washington, D. C., October 10, 1868.

GENERAL: In obedience to circular of the 2d instant, issued by the Quartermaster General, and to General Orders No. 15, current series, of the Quartermaster General's office, I have the honor to submit my annual report for the fiscal year ending July 30, 1868, and also a report of the business under my direction subsequent to that date and including September 30, 1868.

On the 1st of July, 1867, the commencement of the fiscal year, I was on duty in this office in charge of the sixth division, (barracks and quarters;) under Special Orders No. 15, Quartermaster General's office, July 3, 1867, proceeded to Buffalo, New York, and made an inspection of the public buildings at Fort Porter, and rendered a special report thereon to the Quartermaster General on the 11th of July, 1867; on the 24th of July, 1867, I received a leave of absence for 25 days by Special Orders No. 374, War Department, Adjutant General's office; on the 19th of August, 1867, by Special Orders No. 20, Quartermaster General's office, series of 1867, the division organization of this office was broken up, and by the same order I was directed to "transact the ordinary business of this office in connection with the transportation of the army and its supplies, and" to "have charge of all claims presented to the Quartermaster General, growing out of such service, of all duties pertaining to railroads and telegraph lines operated by the United States, and of collections from indebted railroad companies of arrears due the United States by said companies on account of the purchase of railroad property." By the operation of the same order I was relieved from the duties previously devolving upon me as chief of the sixth division of this office, and those duties were transferred to Brevet Brigadier General B. C. Card, assistant quartermaster. By office circular dated September 16, 1867, (General Card being

relieved from duty in Quartermaster General's office and assigned to Fort Leavenworth,) I was ordered to take charge of the records of the office, of all claims presented to the Quartermaster General for mileage, or of officers for incidental allowances, in addition to the duties previously assigned to me as stated above.

The transfer of the business of collecting railroad indebtedness was not fully completed until the 8th day of January, 1868, on which date Brevet Colonel S. R. Hamill, assistant quartermaster volunteers, at Louisville, Kentucky, in charge of collecting the indebtedness from the railroads in the southwest, turned over that portion of the business to me. The collection from the indebted railroads in the States on the seaboard was transferred to me by Brevet Colonel F. J. Crilly, assistant quartermaster United States army, at Washington, D. C., August 19, 1867, under Special Orders No. 20, Quartermaster General's office, 1867, before referred to.

The detailed statements to be compiled from reports received under General Orders No. 15, Quartermaster General's office, 1868, are, I understand, in course of preparation in the branch in charge of Brevet Brigadier General A. J. Perry, quartermaster United States army, and to them, which are to accompany his report, I respectfully invite your attention.

But as the 5th, 6th, 7th, 8th, 11th, 12th, 13th, 14th, and 15th sections of paragraph H of that order appertain to the branch in my charge, I have procured from General Perry the totals in each case, which will be found in this report in their appropriate places.

The report (Form A) called for by the 2d section of that paragraph, being a statement of public funds which have come into my possession during the fiscal year, is appended hereto, from which it appears that during the fiscal year I have received (from indebted railroads) the sum of \$773,763 98; that the same has been deposited to the credit of the Treasurer of the United States, or otherwise accounted for, and that at the end of the fiscal year no public funds were in my possession. The same report shows that the amount received since the close of the fiscal year, and including September 30th, 1868, was \$76,244 80, which has been accounted for as deposited to the credit of the Treasurer of the United States.

The accompanying table marked B is a statement of the indebtedness of railway companies for purchases of railway material of the United States on credit, under executive orders of August 8th and October 11th, 1865, showing the appraised value of the property purchased, with interest accrued thereon, and total amount of principal and interest to June 30, 1868; amount of payments made, and total balance remaining due at that date; also covering a similar statement to September 30th, 1868, and terms of payment in force at that date.

The names of railway companies which have discharged their indebtedness are also given in table B.

The following railway companies have discharged their indebtedness during the last and the present fiscal year up to September 30, 1868, viz:

The Petersburg; Virginia Central; Virginia and Tennessee; Mobile and Great Northern; Memphis and Charleston; New Orleans, Jackson, and Great Northern; Mississippi Central; Montgomery and West Point; Rome; and Western and Atlantic.

It will be observed that nearly two-thirds of the total amount due and unpaid is made up of the indebtedness of four roads in Tennessee, viz: the Nashville and Chattanooga; Nashville and Northwestern; Memphis, Clarksville and Louisville; and East Tennessee and Georgia.

Orders from competent authority prevent us from taking measures prescribed in their bonds for the enforcement of the payment of the claims of the United States against Tennessee roads, and all that we can do is to request them to pay their monthly instalments and interest as it falls due, which is done.

Until we are in position to enforce these demands, and these companies are disabused of the impression they now appear to have, that their claims for use of their roads by the United States during the rebellion will be admitted as a just offset against those of the United States for property sold to them, I have little expectation of the speedy liquidation of these just claims of the United States.

At a recent election of directors for the Nashville and Chattanooga railroad, a new president was also chosen, Mr. E. W. Cole, in place of Mr. M. Burns, under whose administration the present debt of \$1,635,535 16 was contracted.

Mr. Cole has recently indicated his intention to submit a proposition in behalf of the Nashville and Chattanooga Railroad Company, looking to a settlement of the claim of the United States against his road, which will be submitted to you when received.

The roads on the east side of the Alleghanies have shown, as a general thing, a desire to pay their indebtedness to the United States.

Those in Tennessee and in the southwest have not always manifested a similar spirit.

The Alexandria, Loudon and Hampshire Railroad Company, of Virginia, having failed to pay its indebtedness, or to provide for payment, a statement of the case was submitted to the Secretary of War with the recommendation that a receiver be appointed to take possession of and control and operate the road, and collect the revenues thereof and apply the same to the payment of the debt. This recommendation was approved on the 8th day of June last.

On the 18th of June the president of the company was informed of the action that had been taken in the matter, and that unless provision was made, or a proposition for the payment of the debt submitted, on or before the 25th instant, that could be accepted, the receiver would be appointed.

On the 22d a reply was received, stating that arrangements were being made by which it was hoped the company would be able to pay the whole debt within one year. I have, therefore, delayed appointing the receiver, to give the company an opportunity to complete their arrangements, in hope that the debt might be discharged at an early day.

I am, however, of the opinion that the arrangements that the company are making will not be such as can be accepted by the United States, and that, therefore, it will be necessary to execute the power vested in me by authority of the Secretary of War.

The New Orleans and Ohio Railroad Company failed to pay its indebtedness to the United States in accordance with the terms of its bond, or to submit any proposition for the payment thereof upon any terms. It was therefore reported to the Secretary of War, with the recommendation that a receiver be appointed to take charge of and control the road, and collect all the revenues of the company and apply the same to the payment of the debt, with the proviso that if the revenues of the road should not justify the United States in operating it, the property sold the company be retaken and sold at public auction and the proceeds applied to its liquidation, and that such other steps be taken to collect the balance remaining unpaid, if any there be, as might be necessary.

This recommendation was approved on the 2d day of June, 1868, and

on the 13th of July the receiver was appointed, with instructions to take possession of the road.

A delay of 30 days in the execution of this order was subsequently granted by authority of the Secretary of War, in order to enable the company and the bondholders to arrange for the payment of the debt. No satisfactory arrangement having been made, upon the expiration of the 30 days the receiver was again directed to take possession of the road. On the 4th of September the demand for possession was made, and, on the 8th instant, refused.

All efforts to arrange amicably for the payment of the debt to the satisfaction of this department having failed, instructions were given the receiver on the 11th of September, with the approval of the Secretary of War, to proceed under the law to obtain possession of the road, and to call upon the United States district attorney for such counsel and assistance in the prosecution of the case as he might desire.

In connection with the foregoing it appears that the Treasury Department has commenced a suit to enforce the payment of certain first and second mortgage bonds of the company held by that department.

Apprehending that the prosecution of that suit might prejudice the case of the War Department, it was thought advisable by the district attorney that the two suits be intrusted to the same party, viz., to himself; that the Hon. James Speed, late Attorney General, be retained as associate counsel, and that the two suits be consolidated if necessary. Concurring in this advice the Quartermaster General submitted a statement of the facts to the Secretary of War on the 29th of September, with the recommendation that the War Department consult with the Treasury Department in the matter, and that, if practicable, the whole case be submitted to the Attorney General, and that instructions be given the district attorney to take charge of both suits, and conduct them in such a manner as will fully protect the interests of the United States.

The indebtedness on account of the Memphis, Clarksville and Louisville Railroad Company, was incurred by the State of Tennessee and the bond executed by the governor and secretary of state thereof, and under the special sanction of its legislature.

The bond is of a form and tenor similar to those executed by other indebted railroad companies, and authorizes the United States, in case of the default of the State to pay for the property in accordance with its terms, to enter upon, take possession of and control the road, to collect all the revenues thereof, and apply the same to the payment of the debt, also to retake and sell the property for the benefit of the United States.

The State having failed to pay the debt, or to provide for its payment, a statement of the case was submitted to the Secretary of War, with the recommendation that an agent be appointed as provided in the bond; that the property be retaken and sold at public auction, and that the necessary steps be taken to dispose of the whole road as captured property for the benefit of the United States.

This recommendation was approved by the Secretary of War on the 14th of July last, and on the 28th of August a receiver was appointed, with instructions to take possession of the road, to control and operate it for the benefit of the United States until further orders from this office.

On the 14th of September last the receiver presented his instructions to the governor of Tennessee and demanded possession of the road. The governor declined to surrender the road to him, but submitted the case to the attorney for the State, and stated he would be guided by his advice. The nature of that decision has not yet been made known to this office.

The prospects this year of a good crop of cotton and grain in the southern States induce me to hope that the indebted railroads in those States may be enabled to reduce their debt materially during the present fiscal year.

#### ARMY TRANSPORTATION.

During the fiscal year ending June 30, 1868, the number of vessels chartered and otherwise employed by the quartermasters' department, as far as reported to this office, was 39. Of this number 35 were employed upon ocean and lake service, and 4 upon the western rivers. Of the sea-going vessels employed, 25 were steamers and 10 were sailing vessels. Those employed upon the western waters were steamboats.

The number of vessels owned by the United States in service during the year was 27, of these 10 were steamers, the remainder (17) were schooners, sloops, and barges. These all pertained to ocean and lake service,

Of the vessels owned, three steamers and four sailing vessels were sold at public auction during the fiscal year, their services being no longer required. The amount realized from these sales was \$32,539 75.

Several vessels owned by the United States have been sold or ordered to be sold since the close of the fiscal year. Among them two steamers and one schooner. One steamer has been transferred to the engineer department for temporary service, that department bearing all expenses.

One barge belonging to this department, the "*Branicle No. 2*," which cost \$1,500, was sunk on the 15th of January, 1868, while lying at the wharf near New Orleans, Louisiana, loaded with oyster shells, employed on cemeterial duty.

The cost of chartered vessels during the fiscal year was \$150,330 16.

The total amount paid for repairs, employes, &c., of vessels owned by the United States was \$82,270 94.

It appears from the records of this office, so far as returns from the officers have been received, that the quartermasters' department furnished transportation upon vessels not owned or run by the government, as follows:

By ocean and lake, number of persons.....	8,846
By ocean and lake, number of animals.....	489
By ocean and lake, number of tons of freight.....	32,803
By river, number of persons.....	24,163
By river, number of animals.....	2,058
By river, number of tons of freight.....	700,200

The amount paid for transportation by ocean and lake was as follows:

Persons.....	\$264,285 95
Freight and expenditures.....	441,028 27
Total.....	705,314 22
By river, persons.....	\$320,409 61
By river, freight and expenditures.....	644,991 79
Total river.....	965,401 40
Total ocean and lake.....	705,314 22
Total water transportation.....	1,670,715 62

The following shows the transportation furnished by vessels owned or run by the government:

By ocean and lake, number of persons.....	317
By ocean and lake, number of animals.....	none
By ocean and lake, number of tons of freight.....	1,031
By river, number of persons.....	48,206
By river, number of animals.....	27
By river, number of tons of freight.....	9,102
<hr/>	
Total number of persons transported by water.....	81,532
Total number of animals so transported.....	2,574
Total number of tons of freight so transported.....	743,136

Brevet Major General Robert Allen, assistant Quartermaster General United States army, chief quartermaster military division of the Pacific, having made requisition upon this department for a steamer to run between San Francisco and the coast of Alaska, it was found necessary to purchase one, as those owned by the department were not suitable for the service.

After some delay the propellor Newbern, of 920 tons, was purchased of the Navy Department for \$35,000, and is now in New York undergoing slight repairs, with a full crew on board, nearly in readiness to sail for the Pacific coast.

The field for the operation of wagon transportation lies almost exclusively beyond the Mississippi river. Supplies are conveyed to various posts on the plains by this means, in connection with the Pacific railroads.

The principal routes are as follows, and contracts for the transportation of supplies, &c., on these routes, entered into for the year ending March 31, 1869, are now in force.

#### ROUTE NO. 1.

From Fort D. A. Russell, D. T., or such other posts as may be determined upon during the year, on the Omaha branch of the Union Pacific railroad, west of Fort D. A. Russell, or at Fort Laramie, D. T., to posts in the State of Nebraska, territories of Montana and Idaho, that part of the territory of Dakota west of the Missouri river and the northern part of Colorado.

The contractors on this route are Samuel Black, Richard Kitchen and William A. Martin, all of the city of Leavenworth, Kansas, composing the firm of Black, Kitchen & Martin. The following are the rates per 100 pounds per 100 miles, viz: For April, 1868, \$1 90; May, 1868, \$1 75; for June, July and August, 1868, \$1 60; for September and October, 1868, \$1 75; for November, 1868, \$1 90; for December, 1868, \$2; for January and February, 1869, \$2 50, and for March, 1869, \$3; and, on an average, are for the entire year the same as for the year previous.

#### ROUTE NO. 2.

From Fort Harker and Fort Hays, Kansas, or such other posts as may be designated during the year, on the Union Pacific railroad, eastern division, to all posts in the State of Kansas and in the southern part of the Territory of Colorado, and to Fort Union, New Mexico.

The contractor for this route is Percival C. Lowe, of Leavenworth City, Kansas, at the following rates per 100 pounds per 100 miles: From April to October, 1868, inclusive, \$1 29; for November, 1868, \$1 75;



from December, 1868, to March, 1869, inclusive, \$2, and on an average are considerably lower than those of the year previous, the average being for that year \$1 81.

#### ROUTE NO. 3.

From Fort Union, New Mexico, or such other depot as may be established during the year in that Territory, to posts in New Mexico and Arizona, and in the State of Texas west of longitude 105° west of Greenwich.

The contractor on this route is George Berg, of Mora, Mora county, New Mexico, at the rate of 1 03½ per 100 pounds per 100 miles for each month during the year, being about one-third less than for the previous year.

#### ROUTE NO. 4.

From Saint Paul or Saint Cloud, Minnesota, or Fort Stevenson, on the Missouri river, in the State of Minnesota, and that part of the Territory of Dakota lying east of the Missouri river.

The contractors on this route are J. C. Burbank, A. H. Wilder, John L. Merriam and H. C. Burbank, all of Saint Paul, Minnesota, at the following rates per 100 pounds per 100 miles: For April, 1868, \$1 80; for May, 1868, \$1 45; from June to September, 1868, inclusive, \$1 44; from October, 1868, to March, 1869, inclusive, \$1 80, being about one-fourth less than for the year previous.

The total amount of stores transported by wagon, and the payments made for such transportation during the fiscal year, so far as reported to this office, are as follows: Amount of stores transported, 22,645<sup>71</sup>/<sub>100</sub> tons; payments made by officers on account of such transportation, \$2,530,591 26.

The total passenger transportation by stage on the plains during the fiscal year, as shown by reports on file, amounts to 919 men, and the total payments for such transportation by officers amounts to \$33,110 55.

The policy which it was found desirable to adopt about the close of the last fiscal year, of abolishing the military rates for railroad transportation in force during the war, and accepting the tariffs of the respective railroad companies, unless lower rates might be agreed upon, has been carried out during the present year, and appears to have worked satisfactorily both to the government and the railroad companies.

A marked improvement has been observed, during the past year, in the business relations between railroad companies and the government, in connection with transportation services required and performed for the army. Complaints against railroad companies of neglect towards United States officers and agents, and of inferiority in the means provided for their transportation, have virtually ceased; on the other hand, settlements for the services rendered have been promptly made by the government.

By the discontinuance of the uniform rates and system of settlements for army transportation, in operation during the war, the adjustment of railroad accounts has become more perplexing.

Cases have occurred where local rates were charged for through transportation. The correction of this error was somewhat difficult, as the regulations of the quartermasters' department required, when one or more persons were to be transported over a continuous route, that separate orders should be issued to each railroad company forming a portion of the route, thereby necessitating a separate account to be made up for each road, and furnishing the respective companies with a pretext for

charging their local instead of their proportion of the through rates. Settlements in all such cases have been made at through rates; but, for the purpose of obviating some misunderstanding which seemed to exist on the part of several railroad companies on this subject, and definitely securing to the government the benefits of the reduced charges made for through transportation, an agreement was effected between the national general railroad ticket agents' association, assembled in New York, March 4th, 1868, and Brevet Major General Rufus Ingalls, assistant quartermaster general, acting under instructions from this office, the terms of which provided that officers of the quartermasters' department requiring through transportation for government troops to and from points in the territory north of the Baltimore and Ohio railroad, the Ohio river, the Pacific railroad of Missouri, and the Pacific railway, eastern division, embracing transportation over more than one road, should thereafter issue a single order for the entire distance, from point of departure to point of destination, for one or more persons, addressed to the initial road, receipting said transportation to the said road, and receiving therefor through first-class tickets over the several roads forming the through connection. (General Orders No. 12, Quartermaster General's office, March 24, 1868.)

General Ingalls was also instructed to ascertain the feasibility of establishing uniform rates for United States transportation, but found the opinions of the railroad companies adverse to the proposition.

Another important feature has been introduced during the past year in army railroad transportation, that of inviting proposals from the various companies for performing such services as may be required of them, either for fixed periods or in special cases when transportation is needed for a large number of persons or amount of freight. A wholesome competition has thus been excited between rival lines for government transportation, and contracts have been made with several of the leading railroad companies of the country for the transportation of government troops, stores, supplies and munitions of war, at rates lower than those charged by their public tariffs, thus saving to the government large sums of money.

The only line of railroad constructed by and the property of the United States which was in its possession at the commencement of the fiscal year, viz., the Brazos and Santiago Railroad, in Texas, has been sold by authority of the Secretary of War, to the Indianola Railroad Company, of Texas, for \$20,000, \$5,000 cash, the balance to be paid in government transportation.

During the fiscal year the United States has had no control of, nor has it operated, any line of telegraph.

A small additional number of *skilled* clerks could be advantageously employed in the analysis of railway accounts in this branch of the office, but unless specially trained for the purpose they are not required.

The total amount of stores and passengers transported by rail, (other than by the Pacific railways,) and the payments made on account of such transportation by officers of this department, during the fiscal year, so far as reported to this office at this date, are as follows: Amount of stores so transported,  $89,911\frac{6}{26.00}$  tons; payments made for same by officers, \$289,221 77; number of passengers so transported, 39,934; payments made for same by officers, \$484,122 47; total amount of payments made for rail transportation (other than Pacific railway transportation) by officers during the fiscal year, so far as reported, \$773,344 24.

The settlement of the accounts of the Pacific railways has been under the special jurisdiction of this office, and of the Third Auditor's office of the Treasury Department.

From the records of the transportation branch of this office it appears that the Union Pacific railway has transported during the fiscal year ending June 30, 1868, 18,605 tons of stores and 6,591 passengers; and that there has been allowed and paid to this road for the transportation of stores during the fiscal year, \$776,451 49, and for the transportation of passengers (troops, &c.) \$192,002 92; that from July 1, 1868, to September 30, 1868, it transported 2,172 tons of stores and 824 passengers; amount allowed and paid to this road, same period, for transportation of stores \$89,381 37, and for passengers \$12,820 07. Total amount allowed and paid to the Union Pacific railway from July 1, 1867, to September 30, 1868, \$1,070,655 85. Total amount of stores transported, same period, 20,777 tons, and 7,415 passengers.

The Union Pacific railway, eastern division, transported during the fiscal year 15,451 tons of stores and 6,164 passengers; the amount allowed, same period, for the transportation of stores \$355,677 76, and for passengers \$107,815 14; and from July 1, 1868, to September 30, 1868, this road transported 119 tons of stores and 23 passengers; and was allowed for the transportation of stores, same period, \$57,710 79, and of passengers \$10,071 55. Total for Union Pacific railway, eastern division, from July 1, 1867, to September 30, 1868, 15,570 tons of stores transported, and 6,395 passengers. Total amount allowed, same period, for transportation of stores and passengers, to this railway, \$531,275 24.

Tabular statements exhibiting the foregoing figures are appended hereto, and are marked C and D.

The following tables exhibit the action in regard to claims pertaining to the transportation branch during the year ending June 30, 1868, and to September 30, 1868:

	Number.	Value.
Claims on hand July 1, 1867.....	2,579	\$1,132,498 33
Claims received during fiscal year.....	4,791	4,913,154 20
Total on hand and received .....	7,370	6,045,652 53
Referred for payment during fiscal year .....	3,101	\$4,101,412 09
Rejected during fiscal year.....	593	624,339 61
Referred to other branches during fiscal year.....	371	80,234 19
Total disposed of .....	4,065	4,805,955 89
Total on hand and received during fiscal year.....	7,370	\$6,045,652 53
Total disposed of during fiscal year.....	4,065	4,805,955 89
Awaiting action July 1, 1868.....	3,305	1,239,666 64
Claims awaiting action July 1, 1868.....	3,305	\$1,239,666 64
Claims received during quarter ending September 30, 1868.....	773	827,564 17
Total on hand and received.....	4,078	2,067,230 81
Referred for payment during quarter ending September 30, 1868..	598	\$745,185 20
Rejected during quarter ending September 30, 1868.....	104	37,794 79
Total disposed of during the quarter.....	702	782,979 99
Total on hand and received during quarter ending September 30, 1868.....	4,078	\$2,067,230 81
Total disposed of during the quarter.....	702	782,979 99
Awaiting action October 1, 1868.....	3,376	1,284,250 82

Of the claims on hand many have received partial action, and are now awaiting further information and evidence from the claimants and from officers to whom they have been referred for examination and report.

I have the honor to remain, general, very respectfully, your obedient servant,

JAMES J. DANA,  
*Major and Quartermaster, Bvt. Brig. Gen. U. S. Army.*

A.—*A statement of public funds in the possession of Brevet Brigadier General J. J. Dana, quartermaster U. S. army, in the fiscal year ending June 30, 1868.*

On hand July 1, 1867.....	.....
Received from officers during the year.....	.....
Received from Treasury Department during the year....	.....
Received from indebted railroad companies for railroad property purchased by them.....	\$773, 763 98
Disbursed during the year.....	.....
Transferred to other officers during the year.....	.....
Deposited to credit of Treasurer of the United States....	\$768, 588 98
*Paid over to Mr. Campbell Wallace, superintendent Western and Atlantic Railroad Company, March 28, 1868, by order of the Secretary of War.....	5, 175 00
Remaining on hand.....	773, 763 98
Amount received on account of railroad indebtedness from July, 1, 1868, to September 30, 1868.....	\$76, 244 80
Deposited to credit of Treasurer of the United States....	76, 244 80

I certify that the foregoing are true statements.

J. J. DANA,  
*Major and Quartermaster, Bvt. Brig. Gen. U. S. A.,  
In charge of indebtedness of Southern Railroads.*

QUARTERMASTER GENERAL'S OFFICE,  
October 9, 1868.

\* The amount paid over to Mr. Wallace was received through the Post Office Department on account of postal service due the Western and Atlantic Railroad Company, that company having provided for the payment of its indebtedness by transportation accounts. This amount was forwarded to Mr. Wallace with the approval of the acting Quartermaster General and the Secretary of War.

B.—Statement of the indebtedness of railroad companies for purchases of railway material of the appraised value of property purchased, with interest accrued thereon to June 30, and Sep payment in force September 30, 1868.

Name of railroad company.	Value of property sold.	Interest accrued to June 30, 1868.	Total to June 30, 1868.	Payments to June 30, 1868.	Balance unpaid June 30, 1868.
Alexandria, Loudon and Hampshire.....	\$62,592 96	\$11,428 45	\$74,021 41	\$4,778 27	\$69,243 14
Atlantic and North Carolina.....	51,453 93	8,193 49	59,647 42	30,620 63	29,026 79
Alabama and Florida.....	51,912 00	6,011 67	57,923 67	48,673 98	9,249 69
East Tennessee and Georgia.....	366,183 02	71,342 45	437,525 47	79,057 09	358,468 38
East Tennessee and Virginia.....	265,655 65	53,153 34	318,808 99	66,666 85	252,142 14
Edgefield and Kentucky.....	114,772 86	22,292 91	137,065 77	1,531 50	135,534 27
Georgia Railroad and Banking Co.....	11,935 05	.....	11,935 05	11,935 05	.....
Knoxville and Kentucky.....	12,335 63	1,479 99	13,815 62	4,154 28	9,661 34
Macon and Western.....	83,638 15	.....	83,638 15	83,638 15	.....
Muscogee.....	5,244 20	424 57	5,668 77	5,668 77	.....
Memphis and Charleston.....	547,494 09	30,889 64	578,383 73	578,383 73	.....
Mobile and Great Northern.....	14,637 73	1,192 55	15,830 28	15,830 28	.....
Manassas Gap.....	4,623 51	729 16	5,405 67	309 09	5,096 58
McMinnville and Manchester.....	20,310 00	3,521 73	23,831 73	.....	23,831 73
McMinnville and Manchester.....	26,198 54	3,950 74	30,149 28	.....	30,149 28
Mississippi Central.....	78,460 00	6,368 56	84,828 56	84,828 56	.....
Mississippi, Gainsville and Tuscaloosa.....	33,476 39	6,599 93	40,076 32	2,614 61	37,461 71
Macon and Brunswick.....	26,820 00	3,832 34	30,652 34	21,894 27	8,758 07
Mobile and Ohio.....	505,143 70	53,148 66	558,292 36	390,469 69	167,822 67
Mississippi and Tennessee.....	127,750 52	19,393 92	147,144 44	62,251 92	84,892 52
Memphis, Clarksville and Louisville.....	336,932 36	64,594 44	401,526 80	4,586 28	396,940 52
Memphis and Ohio.....	106,929 13	16,656 37	123,585 50	74,467 66	49,117 84
Montgomery and West Point.....	38,559 66	3,324 93	41,884 59	41,531 64	352 95
Memphis and Little Rock.....	153,673 89	22,456 28	176,130 17	82,993 15	93,137 02
New Orleans, Jackson and Great Northern.....	200,865 58	15,656 91	216,522 49	216,522 49	.....
Nashville and Chattanooga.....	1,566,551 73	301,552 70	1,868,104 43	253,178 80	1,614,925 63
Nashville and Northwestern.....	525,400 26	107,308 77	632,709 03	37,013 45	595,695 58
Nashville and Decatur.....	405,193 92	62,263 28	467,457 20	180,766 07	286,691 13
New Orleans and Ohio.....	32,150 00	5,916 91	38,066 91	8,686 83	29,380 08
Norfolk and Petersburg.....	2,112 00	.....	2,112 00	274 82	1,837 18
New Orleans, Opelousas and Great Western.....	113,773 45	9,399 73	123,173 18	84,475 73	38,697 45
Orange and Alexandria.....	118,895 74	12,427 00	131,322 74	122,859 70	8,463 04
Richmond, Fredericksburg and Potomac.....	7,449 27	.....	7,449 27	7,449 27	.....
Rome.....	22,086 05	1,778 57	23,864 62	23,770 79	93 83
Southwestern.....	46,159 89	.....	46,159 89	46,159 89	.....
South Carolina.....	23,458 50	1,646 76	25,105 26	25,105 26	.....
Petersburg.....	65,000 00	3,633 60	68,633 60	.....	68,633 60
Selma and Meridian.....	146,327 92	16,419 04	162,746 96	104,308 89	58,438 07
Selma, Rome and Dalton.....	183,276 49	33,759 85	217,036 34	58,543 75	158,492 59
San Antonio and Mexican Gulf.....	48,775 19	7,116 89	55,892 08	8,073 03	47,819 05
Virginia and Tennessee.....	102,880 00	14,371 05	117,251 05	117,251 05	.....
Virginia Central.....	70,000 00	10,348 25	80,348 25	76,807 61	3,540 61
Wilmington and Weldon.....	81,500 00	9,946 31	91,446 31	88,506 44	2,939 87
Western North Carolina.....	14,269 82	1,916 63	16,186 45	14,817 47	1,368 98
Western and Atlantic.....	472,944 66	70,194 71	543,139 37	539,423 59	3,715 78
Wills Valley.....	30,248 52	5,719 69	35,968 21	4,018 92	31,949 29
Washington, Alexandria and Georgetown.....	324 06	.....	324 06	46 12	277 94
Totals.....	7,326,376 02	1,102,415 77	8,428,791 79	3,783,579 05	4,645,212 74

Respectfully submitted to the Quartermaster General:

QUARTERMASTER GENERAL'S OFFICE, October 8, 1868.

*the United States on credit, under executive orders of August 8, and October 14, 1865, showing tember 30, 1868, amount of payments made, total balance remaining unpaid, and terms of*

Interest ac- crued to Sept. 30, 1868.	Total to Sept. 30, 1868.	Payments to Sept. 30, 1868.	Balance un- paid Sept. 30, 1868.	Terms of payment in force.
\$12,580 20	\$75,173 16	\$5,769 14	\$69,404 02	Due June 30, 1868.
8,704 04	60,157 97	32,821 29	27,336 68	Interest \$1,000, payable monthly in money; company to be credited with postal and transportation service.
6,181 25	58,093 25	48,673 98	9,419 27	Payable in twelve monthly instalments, commencing September 30, 1867, with interest.
77,790 68	443,973 70	82,444 09	361,529 61	Interest payable monthly in money; company to be credited with postal and transportation service.
57,739 15	323,394 80	70,149 78	253,245 02	Interest and instalments payable monthly, commencing March 1, 1868.
24,404 73	139,177 59	1,531 50	137,646 09	Payable in two years in monthly instalments from June 30, 1867, with interest.
-----	11,935 05	11,935 05	-----	Debt discharged January 12, 1866.
1,655 62	13,991 25	4,296 15	9,695 10	Interest and instalments payable monthly; company to be credited with postal and transportation service.
-----	83,638 15	83,638 15	-----	Debt discharged November 24, 1866.
424 57	5,668 77	5,668 77	-----	Debt discharged May 15, 1867.
30,889 64	578,383 73	578,383 73	-----	Debt discharged October 16, 1867.
1,192 55	15,830 28	15,830 28	-----	Debt discharged October 31, 1867.
862 26	5,485 77	309 09	5,176 68	Due January 18, 1868.
3,895 43	24,205 43	-----	24,205 43	Payable in two years in monthly instalments; commencing October 31, 1867, with interest.
4,432 79	30,631 33	-----	30,631 33	Due June 6, 1868.
6,368 56	84,828 56	84,828 56	-----	Debt discharged April 11, 1868.
7,215 89	40,692 28	2,614 61	38,077 67	Payable in two years in monthly instalments in money, from September 30, 1867; company to be credited with postal and transportation service.
3,980 92	30,800 92	22,861 73	7,939 19	Interest and \$1,000, payable monthly in money; company to be credited with postal and transportation service.
55,972 02	561,115 72	410,811 64	150,304 08	Payable in twelve monthly instalments, commencing September 30, 1867, with interest.
20,912 51	148,663 03	65,849 95	82,813 08	Interest payable monthly in money; to commence paying instalments October 31, 1868.
70,793 99	407,726 35	15,787 71	391,938 64	Payable in twenty-four monthly instalments commencing November 30, 1867, with interest.
17,536 67	124,465 80	77,162 78	47,303 02	Interest and instalments payable monthly.
3,324 93	41,884 59	41,884 59	-----	Debt discharged July 16, 1868.
24,159 77	177,833 66	83,794 69	94,038 97	Payment of interest and instalments in money suspended until October 31, 1868.
15,656 91	216,522 49	216,522 49	-----	Debt discharged February 29, 1868.
328,696 50	1,895,248 23	259,713 07	1,635,535 16	Company to pay net earnings monthly.
116,915 14	642,315 40	37,013 45	605,301 95	Payable in twenty-four monthly instalments commencing November 30, 1867, with interest.
67,494 74	472,688 66	189,558 16	283,130 50	Interest payable monthly in money; to be credited with postal and transportation service, and commence paying instalments January 1, 1869.
6,433 89	38,583 89	10,236 83	28,347 06	Due. Receiver appointed July 13, 1863.
-----	2,112 00	1,495 61	616 39	Amount charged for use of government teams.
10,094 53	123,867 98	86,518 39	37,349 59	Due January 31, 1868.
12,497 40	131,393 14	131,325 59	67 55	Due October 12, 1867.
-----	7,449 27	7,449 27	-----	Debt discharged January 3, 1866.
1,778 57	23,864 62	23,864 62	-----	Debt discharged by treasury award; received August 10, 1868.
-----	46,159 89	46,159 89	-----	Debt discharged May 4, 1866.
1,646 76	25,105 26	25,105 26	-----	Debt discharged January 31, 1867.
3,633 60	68,633 60	68,633 60	-----	Debt discharged August 23, 1867.
17,475 28	163,803 20	106,337 64	57,465 56	Interest and \$500, payable monthly in money; company to be credited with postal and transportation service.
36,627 28	219,903 77	66,163 07	153,740 70	To pay \$2,500 monthly in money until October 31, 1868; after October 31, \$10,000, and to be credited with postal and transportation service.
7,972 37	56,747 56	8,073 03	48,674 53	Due March 25, 1868.
14,371 05	117,251 05	117,251 05	-----	Debt discharged April 16, 1868.
10,364 66	80,364 66	80,364 66	-----	Debt discharged July 21, 1868.
9,946 31	91,446 31	88,506 44	2,939 87	Accounts filed sufficient to liquidate the debt.
1,940 29	16,210 11	15,033 57	1,176 54	Interest and \$1,000, payable monthly in money; company to be credited with postal and transportation service.
70,194 71	543,139 37	543,139 37	-----	Debt discharged by treasury award; received August 27, 1868.
6,252 34	36,500 86	4,108 92	32,391 94	Due August 1, 1868.
-----	324 06	69 51	254 55	Property purchased at auction.
1,181,010 50	8,507,386 52	3,879,690 75	4,627,695 77	

J. J. DANA,  
Major and Quartermaster, Brevet Brigadier General U. S. A.,  
In charge indebtedness of southern railroads.

C.—Statement of the amounts allowed by the Third Auditor in settlement of accounts of the Pacific Railroad Companies, for army transportation and telegraph service, during the fiscal year ending June 30, 1868, and to September 30, 1868.

## UNION PACIFIC RAILROAD COMPANY.

	Troops.	Milit'y stores.	Telegrams.	Total.
From July 1, 1867, to June 30, 1868.....	\$192,002 92	\$776,451 49	\$831 51	\$962,285 92
From July 1, 1868, to September 30, 1868.....	12,820 07	89,381 37	46 41	102,247 85
Total.....	204,822 99	865,832 86	877 92	1,071,533 77

## UNION PACIFIC RAILWAY, EASTERN DIVISION.

	Troops.	Milit'y stores.	Total.
From July 1, 1867, to June 30, 1868.....	\$107,815 14	\$355,677 76	\$463,492 90
From July 1, 1868, to September 30, 1868.....	10,071 55	57,710 79	67,782 34
Total.....	117,886 69	413,388 55	531,275 24

Respectfully submitted :

J. J. DANA,  
Major and Quartermaster, Brevet Brigadier General U. S. A.

D.—Statement of the number of persons and tons of stores transported by the Pacific Railroad Companies during the fiscal year ending June 30, 1868, and to September 30, 1868.

## UNION PACIFIC RAILROAD COMPANY.

	Number of persons.	Tons of stores.
From July 1, 1867, to June 30, 1868.....	6,591	18,605
From July 1, 1868, to September 30, 1868.....	824	2,172
Total.....	7,415	20,777

## UNION PACIFIC RAILWAY, EASTERN DIVISION.

	Number of persons.	Tons of stores.
From July 1, 1867, to June 30, 1868.....	6,164	15,451
From July 1, 1868, to September 30, 1868.....	231	119
Total.....	6,395	15,570

Respectfully submitted :

J. J. DANA,  
Major and Quartermaster, Brevet Brigadier General, U. S. A.

INSPECTION BRANCH QUARTERMASTER GENERAL'S OFFICE,  
Washington, D. C., August 17, 1868.

GENERAL: I have the honor to submit herewith a report of the operations of the inspection branch of the Quartermaster General's office during the fiscal year ending June 30, 1868.

The duties of this branch have greatly diminished since the close of the preceding fiscal year.

The business of the branch has been of the same general nature as heretofore, of which full reports have been made yearly.

The compilation of the records of officers of the department during the war has rapidly progressed; those of the regular officers are completed; of those of the volunteer officers about 225 are still unfinished. With the present force employed, it is thought that they will be completed by the 1st of January proximo.

The records of acting assistant quartermasters have also been compiled as far as possible to date, and a brief history of the stations occupied by the quartermasters' department during the war is in progress.

During the year 2,298 inventory and inspection reports and 353 reports of boards of survey have been received, examined, and the necessary action taken in each case.

Many of the latter required the special attention of the Quartermaster General, and the necessary precautions have, in each case, been taken to protect the interests of the government.

In addition to the above, about 3,800 communications of a current nature have been received, examined, and acted upon.

During the year a list of distances, to be used in the payment of mileage accounts, has been compiled for the use of officers of the quartermasters' department, under General Orders No. 74, Adjutant General's office, August 3, 1867.

These distances, compiled from the most reliable data obtainable, were approved by the Secretary of War, and published in General Orders No. 66, Quartermaster General's office, series of 1867.

Since that date many new distances have been obtained, especially in the military division of the Missouri and on the Pacific coast. Furthermore, several railway routes have been shortened, making changes and additions in the published tables necessary. In consequence thereof, revised lists have been prepared and will shortly be published for the information of officers of the department.

The following is an approximate statement of the number of general and special orders, &c., received and distributed by the inspection branch during the past fiscal year:

*Received.*

General orders, Quartermaster General's office .....	49,000
General orders, Adjutant General's office .....	42,400
General court-martial orders, Adjutant General's office .....	60,900
Circulars, Quartermaster General's office .....	1,300
Rolls of honor .....	10,000
Miscellaneous orders, circulars, indices, &c. ....	5,000

*Distributed.*

General orders, Quartermaster General's office .....	32,000
General orders, Adjutant General's office .....	39,000
General court-martial orders, Adjutant General's office .....	47,000



Circulars, Quartermaster General's office .....	1,000
Rolls of honor .....	4,600
Miscellaneous orders, circulars, indices, &c. ....	4,000

Owing to the legislation of Congress, a heavy reduction in the clerical force of the branch became necessary at the close of the year.

The gentlemen who have been retained are highly efficient and thoroughly competent for the duties assigned them, and conscientious and faithful in the performance of them.

I respectfully enclose with this report the following tabular statements, viz:

A.—Annual report of officers of the quartermasters' department.

B.—List of officers of the quartermasters' department who have been promoted by brevet during the fiscal year ending June 30, 1868.

Very respectfully, your obedient servant,

H. A. ROYCE,

*Brevet Colonel and A. Q. M., Inspection Branch.*

Brevet Major General M. C. MEIGS,

*Quartermaster General U. S. Army, Washington, D. C.*

*Duties and stations of officers of the quartermasters' department during the fiscal year ending June 30, 1868.*

The duties of this office were conducted by Brevet Major General D. H. Rucker, Assistant Quartermaster General, acting Quartermaster General in the absence of Brevet Major General M. C. Meigs, Quartermaster General.

The duties of chief quartermasters of divisions and departments have been performed by the following officers:

*Chief quartermaster department of the Cumberland.*—Assistant Quartermaster General Colonel Thomas Swords, brevet major general, stationed at Louisville, Kentucky.

*Chief quartermaster military division of the Pacific.*—Assistant Quartermaster General Colonel Robert Allen, brevet major general, San Francisco, California.

*Chief quartermaster military division of the Missouri.*—Assistant Quartermaster General Colonel J. L. Donaldson, brevet major general, St. Louis, Missouri. Deputy Quartermaster General Lieutenant Colonel L. C. Easton, brevet major general, St. Louis, Missouri, acting chief quartermaster in absence of General Donaldson.

*Chief quartermaster department of the east.*—Brevet Major General George A. Crossman, (retired,) Philadelphia, Pennsylvania.

*Chief quartermaster department of Missouri.*—Deputy Quartermaster General Lieutenant Colonel L. C. Easton, brevet major general, Fort Leavenworth, Kansas. Brevet Brigadier General B. C. Card, assistant quartermaster, acting chief quartermaster in absence of General Easton.

*Chief quartermaster department of Columbia.*—Brevet Brigadier General E. B. Babbitt, (retired,) Portland, Oregon, succeeded by Brevet Colonel A. R. Eddy, quartermaster, Portland, Oregon.

*Chief quartermaster department of California.*—Lieutenant Colonel and Deputy Quartermaster General R. W. Kirkham, brevet brigadier general, San Francisco, California.

*Chief quartermaster department of Washington.*—Lieutenant Colonel and Deputy Quartermaster General J. C. McFerran, brevet brigadier general, Washington, D. C., preceded by Major M. I. Ludington, quartermaster.

*Chief quartermaster department of Dakota.*—Lieutenant Colonel and Deputy Quartermaster General S. B. Holabird, brevet brigadier general, St. Paul, Minnesota.

*Chief quartermaster department of the Lakes.*—Brevet Brigadier General J. D. Bingham, major and quartermaster, Detroit, Michigan.

*Chief quartermaster department of the Platte.*—Brevet Brigadier General William Myers, assistant quartermaster, Omaha, Nebraska.

*Chief quartermaster department of Alaska.*—Brevet Lieutenant Colonel George H. Weeks, assistant quartermaster, Sitka, Alaska.

#### MILITARY DISTRICTS.

*Chief quartermaster first military district.*—Brevet Lieutenant Colonel J. M. Moore, quartermaster, Richmond, Va., preceded by Captain A. P. Blunt, assistant quartermaster and brevet colonel United States army.

*Chief quartermaster second military district.*—Lieutenant Colonel and Deputy Quartermaster General R. O. Tyler, brevet major general, Charleston, South Carolina.

*Chief quartermaster third military district.*—Brevet Brigadier General Rufus Saxton, major and quartermaster, Atlanta, Georgia.

*Chief quartermaster fourth military district.*—Brevet Colonel J. G. Chandler, major and quartermaster, Vicksburg, Mississippi, preceded by Brevet Lieutenant Colonel L. H. Pierce, assistant quartermaster.

*Chief quartermaster fifth military district.*—Lieutenant Colonel and Deputy Quartermaster General C. H. Tompkins, brevet brigadier general, New Orleans, Louisiana, preceded by Brevet Brigadier General C. G. Sawtelle, major and quartermaster.

*Chief quartermaster district of New Mexico.*—Brevet Colonel H. M. Enos, assistant quartermaster, Santa Fé, New Mexico, succeeded by Brevet Lieutenant Colonel M. I. Ludington, assistant quartermaster.

*Chief quartermaster district of Texas.*—Brevet Brigadier General J. A. Potter, major and quartermaster, stationed at Galveston, subsequently at Austin, Texas.

#### PRINCIPAL DEPOTS.—OFFICERS IN CHARGE.

*Philadelphia, Pennsylvania, and Schuylkill Arsenal.*—Brevet Major General George H. Crosmann, (retired,) United States army.

*New York, N. Y.*—Brevet Major General D. H. Vinton, United States army, (retired,) in charge clothing depot, succeeded by Brevet Brigadier General C. G. Sawtelle, major and quartermaster. Colonel and Assistant Quartermaster General R. Ingalls, brevet major general, in charge quartermaster depot.

*Baltimore, Maryland.*—Lieutenant Colonel and Deputy Quartermaster General S. Van Vliet, brevet major general.

*Jeffersonville, Indiana.*—Brevet Lieutenant Colonel H. C. Ransom, major and quartermaster, preceded by Brevet Colonel R. N. Batchelder, major and quartermaster.

*Leavenworth, Kansas.*—Brevet Major General L. C. Easton, lieutenant colonel and deputy Quartermaster General, succeeded by Brevet Brigadier General B. C. Card, assistant quartermaster.

*St. Louis, Missouri.*—Brevet Colonel C. W. Thomas, assistant quartermaster United States army.

*New Orleans, Louisiana.*—Brevet Colonel R. N. Batchelder, major and quartermaster, preceded by Brevet Lieutenant Colonel A. J. McGonnigle, assistant quartermaster.

REGULAR OFFICERS.

No.	Name and grade.	Rank.	Remarks.
QUARTERMASTER GENERAL.			
1	Montgomery C. Meigs .....	Brigadier general and brevet major general ....	
ASSISTANT QUARTERMASTER GENERALS			
1	Thomas Swords .....	Colonel and brevet major general .....	
2	Robert Allen .....	Colonel and brevet major general .....	
3	James L. Donaldson .....	Colonel and brevet major general .....	
4	Daniel H. Rucker .....	Colonel and brevet major general .....	
5	Robert E. Clary .....	Colonel and brevet brigadier general .....	
6	Rufus Ingalls .....	Colonel and brevet major general .....	
DEPUTY QUARTERMASTER GENERALS.			
1	Morris S. Miller .....	Lieutenant colonel and brevet brigadier general.	Promoted to be major general United States army, by brevet, to rank from March 13, 1867.
2	Langdon C. Easton .....	Lieutenant colonel and brevet major general...	
3	Stewart Van Vliet .....	Lieutenant colonel and brevet brigadier general.	
4	Ralph W. Kirkham .....	Lieutenant colonel and brevet brigadier general.	
5	John C. McFerran .....	Lieutenant colonel and brevet brigadier general.	
6	Samuel B. Holabird .....	Lieutenant colonel and brevet brigadier general.	
7	Robert O. Tyler .....	Lieutenant colonel and brevet major general...	
8	Charles N. Tompkins .....	Lieutenant colonel and brevet brigadier general.	
9	James A. Ekin .....	Lieutenant colonel and brevet brigadier general.	
10	Frederick Myers .....	Lieutenant colonel and brevet brigadier general.	
QUARTERMASTERS.			
1	Alexander Montgomery .....	Major .....	
2	Tredwell Moore .....	Major and brevet lieutenant colonel .....	

3	Hyat C. Ransom .....	Major and brevet lieutenant colonel .....
4	Asher R. Eddy .....	Major and brevet colonel .....
5	Rufus Saxton .....	Major and brevet brigadier general .....
6	Judson D. Bingham .....	Major and brevet brigadier general .....
7	Alexander J. Perry .....	Major and brevet brigadier general .....
8	Henry C. Hodges .....	Major and brevet lieutenant colonel .....
9	John G. Chandler .....	Major and brevet colonel .....
10	Charles G. Sawtelle .....	Major and brevet brigadier general .....
11	James J. Dana .....	Major and brevet brigadier general .....
12	Joseph A. Potter .....	Major and brevet brigadier general .....
13	Richard N. Batchelder .....	Major and brevet colonel .....
14	Marshall I. Ludington .....	Major .....
15	James M. Moore .....	Major and brevet lieutenant colonel .....
ASSISTANT QUARTERMASTERS.		
1	William Myers .....	Captain and brevet brigadier general .....
2	Charles W. Thomas .....	Captain and brevet lieutenant colonel .....
3	Herbert M. Enos .....	Captain and brevet colonel .....
4	Elisha E. Camp .....	Captain and brevet lieutenant colonel .....
5	Benjamin C. Card .....	Captain and brevet brigadier general .....
6	Charles A. Reynolds .....	Captain and brevet lieutenant colonel .....
7	George B. Dandy .....	Captain and brevet brigadier general .....
8	George H. Weeks .....	Captain and brevet lieutenant colonel .....
9	Elias B. Carling .....	Captain and brevet lieutenant colonel .....
10	William B. Hughes .....	Captain .....
11	Francis J. Crilly .....	Captain and brevet colonel .....
12	Augustus G. Robinson .....	Captain and brevet major .....
13	Alexander Bliss .....	Captain and brevet colonel .....
14	Edward D. Baker .....	Captain .....
15	Henry W. Janes .....	Captain and brevet major .....
16	Henry Inman .....	Captain and brevet major .....
17	Luther H. Peirce .....	Captain and brevet lieutenant colonel .....
18	James G. C. Lee .....	Captain and brevet lieutenant colonel .....
19	James Gilliss .....	Captain .....
20	Andrew J. McGonnigle .....	Captain and brevet lieutenant colonel .....
21	Theodore J. Eckerson .....	Captain and brevet major .....
22	Edward B. Grimes .....	Captain and brevet major .....
23	James W. Scully .....	Captain .....

Promoted to be lieutenant colonel United States army, by brevet, to rank from March 2, 1867.

Died by reason of disease, August 4, 1867.

Resignation accepted to take effect March 30, 1868.

Promoted to be lieutenant colonel United States army, by brevet, to rank from March 13, 1865.

Resignation accepted to take effect January 1, 1868.

Promoted to be colonel United States army, by brevet, to rank from September 27, 1865.

REGULAR OFFICERS.

No.	Name and grade.	Rank.	Remarks.
ASSISTANT QUARTERMASTERS—Cont'd.			
24	William T. Howell .....	Captain .....	Promoted to be major United States army, by brevet, to rank from March 2, 1867.
25	George W. Bradley .....	Captain .....	
26	Charles W. Foster .....	Captain and brevet colonel .....	
27	George E. Alden .....	Captain .....	Promoted to be major United States army, by brevet, to rank from March 2, 1867.
28	Simon F. Barstow .....	Captain and brevet lieutenant colonel .....	
29	John H. Belcher .....	Captain .....	Promoted to be major United States army, by brevet, to rank from March 2, 1867.
30	Ezra B. Kirk .....	Captain .....	
31	Amos S. Kimball .....	Captain .....	
32	Samuel B. Lauffer .....	Captain .....	
33	John V. Furey .....	Captain .....	
34	James T. Hoyt .....	Captain .....	
35	Gilbert C. Smith .....	Captain .....	
36	David W. Porter .....	Captain .....	
37	William A. Wainwright .....	Captain .....	
38	Edward J. Strang .....	Captain .....	Promoted to be lieutenant colonel United States army, by brevet, to rank from March 2, 1867.
39	Almon F. Rockwell .....	Captain .....	Promoted to be lieutenant colonel United States army, by brevet, to rank from March 2, 1867.
40	Thomas B. Hunt .....	Captain .....	Promoted to be lieutenant colonel United States army, by brevet, to rank from March 2, 1867.
41	Lewis C. Forsyth .....	Captain .....	Promoted to be lieutenant colonel United States army, by brevet, to rank from March 2, 1867.
42	Nathaniel S. Constable .....	Captain .....	Promoted to be major United States army, by brevet, to rank from March 11, 1867.
43	Charles H. Hoyt .....	Captain .....	
44	Asa P. Blunt .....	Captain .....	Promoted to be colonel United States army, by brevet, to rank from March 28, 1867.

## MILITARY STOREKEEPERS.

1	Reuben M. Potter.....	Captain.....	
2	Wm. H. Gill.....	Captain.....	
3	Daniel G. Thomas.....	Captain.....	
4	Charles A. Alligood.....	Captain.....	
5	John F. Rodgers.....	Captain.....	
6	Gustavus A. Hull.....	Captain.....	
7	George H. A. Dimpfel.....	Captain.....	
8	Michael E. Lucas.....	Captain.....	Died of disease at Steubenville, Ohio, March 26, 1868.
9	William G. Hodges.....	Captain.....	
10	John Craig.....	Captain.....	
11	N. D. A. Sawyer.....	Captain.....	
12	John Livers.....	Captain.....	
13	Addison Barrett.....	Captain.....	
14	Verplanck Van Antwerp.....	Captain.....	
15	Hamilton Lieber.....	Captain.....	
16	William P. Martin.....	Captain.....	
17	John E. Blaine.....	Captain.....	Appointed July 20, 1868, to rank from June 16, 1868.

## VOLUNTEER OFFICERS.

## ASSISTANT QUARTERMASTERS.

1	Armstrong, W. B.....	Captain.....	Honorably mustered out of service to date August 16, 1867. (See S. O. 419, A. G. O., August 19, 1867.)
2	Barnard, Charles.....	Captain.....	
3	Brown, J. M.....	Captain and brevet major.....	Honorably mustered out of service. (See S. O. 360, A. G. O., July 17, 1867.)
4	Cushing, G. W.....	Captain and brevet major.....	Honorably mustered out of service to date September 1, 1867. (See S. O. 321, A. G. O., June 24, 1867.)
5	Falson, C. W.....	Captain and brevet colonel.....	
6	Farnsworth, H. J.....	Captain and brevet lieutenant colonel.....	Honorably mustered out of service to date September 1, 1867. (See S. O. 433, A. G. O., September 3, 1867.)
7	Grierson, J. C.....	Captain and brevet major.....	

VOLUNTEER OFFICERS.

No.	Name and grade.	Rank.	Remarks.
ASSISTANT QUARTERMASTERS—Cont'd.			
8	Hamill, S. R.....	Captain and brevet lieutenant colonel.....	Honorably mustered out of service to date March 1, 1868. (S. O. 518, A. G. O., December 12, 1867.)
9	Howard, John B.....	Captain and brevet colonel.....	Honorably mustered out of service. (See S. O. 409, A. G. O., August 13, 1867.)
10	Hynes, John R.....	Captain and brevet lieutenant colonel.....	Honorably mustered out of service. (See S. O. 354, A. G. O., July 13, 1867.)
11	Johnston, T. P.....	Captain and brevet lieutenant colonel.....	Honorably mustered out of service to date November 13, 1867. See S. O. 501, A. G. O., November 21, 1867.)
12	Low, James P.....	Captain and brevet lieutenant colonel.....	Honorably mustered out of service. (See S. O. 360, A. G. O., July 17, 1867.)
13	Morgan, R. C.....	Captain and brevet major.....	Honorably mustered out of service to date April 1, 1868. (See S. O. 3, A. G. O., January 30, 1868.)
14	Marshall, G. W.....	Captain and brevet major.....	Honorably mustered out of service. (See S. O. 360, A. G. O., July 17, 1867.)
15	Powers, Joseph T.....	Captain and brevet major.....	Honorably mustered out of service to date October 1, 1867. (See S. O. 422, A. G. O., August 23, 1867.)
16	Payne, James G.....	Captain and brevet major.....	Honorably mustered out of service to date October 1, 1867. (See S. O. 424, A. G. O., August 24, 1867.)
17	Page, Henry.....	Captain and brevet colonel.....	Honorably mustered out of service. (See S. O. 360, A. G. O., July 17, 1867.)
18	Royce, H. A.....	Captain and brevet colonel.....	
19	Rutherford, R. C.....	Captain and brevet colonel.....	Honorably mustered out of service. (See S. O. 360, A. G. O., July 17, 1867.)
20	Rusling, James F.....	Captain and brevet brigadier general.....	Honorably mustered out of service to date September 17, 1867. (See S. O. 392, A. G. O., August 3, 1867.)
21	Stubbs, J. D.....	Captain and brevet lieutenant colonel.....	Honorably mustered out of service. (See S. O. 360, A. G. O., July 17, 1867.)
22	Seely, F. A.....	Captain and brevet lieutenant colonel.....	Honorably mustered out of service. (See S. O. 360, A. G. O., July 17, 1867.)

23	Wise, George D.....	Captain and brevet brigadier general.....	Honorably mustered out of service to date October 1, 1867. (See S. O. 422, A. G. O., August 22, 1867.)
24	Webster, Amos.....	Captain and brevet major.....	Honorably mustered out of service to date October 1, 1867. (See S. O. 422, A. G. O., August 22, 1867.)
25	Whitman, E. B.....	Captain and brevet major.....	Promoted lieutenant colonel United States volunteers, by brevet, to rank from March 13, 1865.
26	Whytal, Thomas G.....	Captain and brevet lieutenant colonel.....	Honorably mustered out of service. (See S. O. 461, A. G. O., October 5, 1867.)
27	Wills, Andrew W.....	Captain and brevet lieutenant colonel.....	Honorably mustered out of service to date December 31, 1867. (See S. O. 468, A. G. O., October 14, 1867.)
28	Wright, S. J.....	Captain.....	Honorably mustered out of service. (See S. O. 360, A. G. O., July 17, 1867.)
29	Whittelsey, H. M.....	Captain and brevet brigadier general.....	Honorably mustered out of service. (See S. O. 360, A. G. O., July 17, 1867.)
30	Watson, Charles T.....	Captain and brevet major.....	Honorably mustered out of service. (See S. O. 360, A. G. O., July 17, 1867.)
31	White, George G.....	Captain and brevet major.....	Dropped by reason of his appointment as captain 44th United States infantry to date from July 2, 1867.



With these changes there results the following roster of officers of the quartermasters' department, June 30, 1868:

## REGULAR OFFICERS.

No.	Name and grade.	Rank.
<b>QUARTERMASTER GENERAL.</b>		
1	Montgomery C. Meigs .....	Brigadier general and brevet major general.
<b>ASS'T QUARTERMASTER GENERALS.</b>		
1	Thomas Swords .....	Colonel and brevet major general.
2	Robert Allen .....	Colonel and brevet major general.
3	James L. Donaldson .....	Colonel and brevet major general.
4	Daniel H. Rucker .....	Colonel and brevet major general.
5	Robert E. Clary .....	Colonel and brevet brigadier general.
6	Rufus Ingalls .....	Colonel and brevet major general.
<b>DEP'Y QUARTERMASTER GENERALS.</b>		
1	Morris S. Miller .....	Lieutenant colonel and brevet brigadier general.
2	Langdon C. Easton .....	Lieutenant colonel and brevet major general.
3	Stewart Van Vliet .....	Lieutenant colonel and brevet major general.
4	Ralph W. Kirkham .....	Lieutenant colonel and brevet brigadier general.
5	John C. McFerran .....	Lieutenant colonel and brevet brigadier general.
6	Samuel B. Holabird .....	Lieutenant colonel and brevet brigadier general.
7	Robert O. Tyler .....	Lieutenant colonel and brevet major general.
8	Charles H. Tompkins .....	Lieutenant colonel and brevet brigadier general.
9	James A. Ekin .....	Lieutenant colonel and brevet brigadier general.
10	Frederick Myers .....	Lieutenant colonel and brevet brigadier general.
<b>QUARTERMASTERS.</b>		
1	Alexander Montgomery .....	Major.
2	Tredwell Moore .....	Major and brevet lieutenant colonel.
3	Hyatt C. Ransom .....	Major and brevet lieutenant colonel.
4	Asher R. Eddy .....	Major and brevet colonel.
5	Rufus Saxton .....	Major and brevet brigadier general.
6	Judson D. Bingham .....	Major and brevet brigadier general.
7	Alexander J. Perry .....	Major and brevet brigadier general.
8	Henry C. Hodges .....	Major and brevet lieutenant colonel.
9	John G. Chandler .....	Major and brevet colonel.
10	Charles G. Sawtelle .....	Major and brevet brigadier general.
11	James J. Dana .....	Major and brevet brigadier general.
12	Joseph A. Potter .....	Major and brevet brigadier general.
13	Richard N. Batchelder .....	Major and brevet colonel.
14	Marshall I. Ludington .....	Major and brevet lieutenant colonel.
15	James M. Moore .....	Major and brevet lieutenant colonel.
<b>ASSISTANT QUARTERMASTERS.</b>		
1	William Myers .....	Captain and brevet brigadier general.
2	Charles W. Thomas .....	Captain and brevet lieutenant colonel.
3	Herbert M. Enos .....	Captain and brevet colonel.
4	Benjamin C. Card .....	Captain and brevet brigadier general.
5	Charles A. Reynolds .....	Captain and brevet lieutenant colonel.
6	George B. Dandy .....	Captain and brevet brigadier general.
7	George H. Weeks .....	Captain and brevet lieutenant colonel.
8	Elias B. Carling .....	Captain and brevet lieutenant colonel.
9	William B. Hughes .....	Captain.
10	Francis J. Crilly .....	Captain and brevet colonel.
11	Augustus G. Robinson .....	Captain and brevet major.
12	Edward D. Baker .....	Captain.
13	Henry W. Jones .....	Captain and brevet lieutenant colonel.
14	Henry Inman .....	Captain and brevet major.

*Roster of officers of the quartermasters' department, &c.—Continued.*

No.	Name and grade.	Rank.
ASS'T QUARTERMASTERS—Cont'd.		
15	James G. C. Lee .....	Captain and brevet lieutenant colonel.
16	James Gilliss .....	Captain.
17	Theodore J. Eckerson .....	Captain and brevet major.
18	Andrew J. McGonnigle .....	Captain and brevet lieutenant colonel.
19	Edward B. Grimes .....	Captain and brevet major.
20	James W. Scully .....	Captain and brevet colonel.
21	William T. Howell .....	Captain and brevet major.
22	Charles W. Foster .....	Captain and brevet colonel.
23	George W. Bradley .....	Captain.
24	George E. Alden .....	Captain and brevet major.
25	Simon F. Barstow .....	Captain and brevet lieutenant colonel.
26	John H. Belcher .....	Captain and brevet major.
27	Ezra B. Kirk .....	Captain.
28	Amos S. Kimball .....	Captain.
29	Almon F. Rockwell .....	Captain and brevet lieutenant colonel.
30	Gilbert C. Smith .....	Captain.
31	Thomas B. Hunt .....	Captain and brevet lieutenant colonel.
32	Edward J. Strang .....	Captain and brevet lieutenant colonel.
33	James T. Hoyt .....	Captain.
34	David W. Porter .....	Captain.
35	William A. Wainwright .....	Captain.
36	Nathaniel S. Constable .....	Captain.
37	Samuel B. Lauffer .....	Captain.
38	John V. Furey .....	Captain.
39	Lewis C. Forsyth .....	Captain and brevet major.
40	Charles H. Hoyt .....	Captain.
41	Asa P. Blunt .....	Captain and brevet colonel.
MILITARY STOREKEEPERS.		
1	Reuben M. Potter .....	Captain.
2	William H. Gill .....	Captain.
3	Daniel G. Thomas .....	Captain.
4	Charles A. Alligood .....	Captain.
5	John T. Rodgers .....	Captain.
6	Gustavus A. Hull .....	Captain.
7	George H. A. Dimpfel .....	Captain.
8	William G. Hodges .....	Captain.
9	John Craig .....	Captain.
10	Nathan D. A. Sawyer .....	Captain.
11	John Livers .....	Captain.
12	Hamilton Lieber .....	Captain.
13	Verplanck Van Antwerp .....	Captain.
14	Addison Barrett .....	Captain.
15	William P. Martin .....	Captain.
16	John E. Blaine .....	Captain.

## VOLUNTEER OFFICERS.

ASSISTANT QUARTERMASTERS.		
1	Barnard, Charles .....	Captain.
2	Folsom, C. W. ....	Captain and brevet colonel.
3	Grierson, J. C. ....	Captain and brevet major.
4	Royce, H. A. ....	Captain and brevet colonel.
5	Whitman, E. B. ....	Captain and brevet major.

## RECAPITULATION.

## REGULAR OFFICERS.

Quartermaster General with the rank of brigadier general .....	1
Assistant quartermaster generals with the rank of colonel.....	6
Deputy quartermaster generals with the rank of lieutenant colonel.....	10
Quartermasters with the rank of major.....	15
Assistant quartermasters with the rank of captain .....	41
Military storekeepers with the rank of captain.....	16
Total.....	89

## VOLUNTEER OFFICERS.

Assistant quartermasters with the rank of captain .....	5
Official:	

H. A. ROYCE,  
*Brevet Colonel and Assistant Quartermaster.*

*List of officers of the quartermasters' department who have been promoted by brevet during the fiscal year ending June 30, 1868.*

## REGULAR OFFICERS.

1. Stewart Van Vliet, promoted to be major general United States army by brevet, to rank from March 13, 1865.
2. Marshall I. Ludington, promoted to be lieutenant colonel United States army by brevet, to rank from March 2, 1867.
3. Henry W. Janes, promoted to be lieutenant colonel United States army by brevet, to rank from March 13, 1865.
4. Andrew J. McGonnigle, promoted to be lieutenant colonel United States army by brevet, to rank from March 2, 1867.
5. James W. Scully, promoted to be colonel United States army by brevet, to rank from September 27, 1867.
6. William T. Howell, promoted to be major United States army by brevet, to rank from March 2, 1867.
7. George E. Alden, promoted to be major United States army by brevet, to rank from March 2, 1867.
8. John H. Belcher, promoted to be major United States army by brevet, to rank from March 2, 1867.
9. Almon F. Rockwell, promoted to be lieutenant colonel United States army by brevet, to rank from March 2, 1867.
10. Thomas B. Hunt, promoted to be lieutenant colonel United States army by brevet, to rank from March 2, 1867.
11. Edward J. Strang, promoted to be lieutenant colonel United States army by brevet, to rank from March 2, 1867.
12. Lewis C. Forsyth, promoted to be major United States army by brevet, to rank from March 11, 1867.
13. Asa P. Blunt, promoted to be colonel United States army by brevet, to rank from March 28, 1867.

## VOLUNTEER OFFICERS.

1. Brown, Joseph M., promoted to be lieutenant colonel United States volunteers by brevet, to rank from March 13, 1865.
2. Clark, James T.,\* promoted to be major United States volunteers by brevet, to rank from March 13, 1865.

\* Mustered out of service prior to the commencement of the fiscal year.

3. Godfrey, John S.,\* promoted to be lieutenant colonel United States volunteers by brevet, to rank from March 13, 1865.

4. Hamill, Samuel R., promoted to be colonel United States volunteers by brevet, to rank from February 8, 1867.

5. Kirker, James B.,\* promoted to be major United States volunteers by brevet, to rank from March 13, 1865.

6. Morgan, Robert C., promoted to be lieutenant colonel United States volunteers by brevet, to rank from March 13, 1865.

7. Orme, George R.,\* promoted to be colonel United States volunteers by brevet, to rank from March 13, 1865.

8. Powers, Joseph T., promoted to be lieutenant colonel United States volunteers by brevet, to rank from March 13, 1865.

9. Payne, James G., promoted to be lieutenant colonel United States volunteers by brevet, to rank from March 13, 1865.

10. Rutherford, R. C., promoted to be brigadier general United States volunteers by brevet, to rank from March 13, 1865.

11. Van Valkenburg, B. J.,\* promoted to be major United States volunteers by brevet, to rank from March 13, 1865.

12. Webster, Amos, promoted to be lieutenant colonel United States volunteers by brevet, to rank from April 9, 1865.

13. Whitman, E. B., promoted to be lieutenant colonel United States volunteers by brevet, to rank from March 13, 1865.

#### RECAPITULATION.

##### REGULAR OFFICERS.

Major generals by brevet.....	1
Colonels by brevet.....	2
Lieutenant colonels by brevet.....	6
Majors by brevet.....	4
Total.....	13

##### VOLUNTEER OFFICERS.

Brigadier generals by brevet.....	1
Colonels by brevet.....	2
Lieutenant colonels by brevet.....	7
Majors by brevet.....	3
Total.....	13

Official:

H. A. ROYCE,  
*Brevet Colonel and A. Q. M. Vols.*

QUARTERMASTER GENERAL'S OFFICE,  
Washington, D. C., October 15, 1868.

GENERAL: In compliance with General Orders No. 15, Quartermaster General's office, current series, I have the honor to submit the following report of the operations of the branch of the office under my charge for the fiscal year ending June 30, 1868.

\* Mustered out of service prior to the commencement of the fiscal year.

My last annual report for the fiscal year ending June 30, 1867, was forwarded to the acting Quartermaster General September 16, 1867.

At the opening of the last fiscal year, the branch of the office under my charge included the divisions formerly known as the first and the fifth, which embraced the purchase, procurement, issue, and disposition of public animals, and also of the regular supplies of the quartermasters' department.

By office circular of August 5, 1867, the acting Quartermaster General transferred to my charge the supply of wagons, ambulances, travelling forges, and harness. This circular was so far amended by office circular dated August 17, 1867, as to place me in charge, under the direction of the Quartermaster General, of barracks and quarters, and of all supplies to be furnished by the quartermasters' department, except such as pertained to the division of clothing and equipage.

### PUBLIC ANIMALS.

*Summary statement of purchases of animals made during the fiscal year ending June 30, 1868.*

Where purchased.	Horses.		Mules.	Total cost.	Average cost.
	Cavalry.	Artillery.			
Third military district.....	21	.....	.....	\$2,457 00	\$117 00
Fifth military district.....	405	.....	.....	63,521 00	156 84
Fifth military district.....	.....	30	.....	4,500 00	150 00
Fifth military district.....	.....	.....	970	126,660 00	130 58
Department of the Cumberland.....	39	.....	.....	5,421 00	139 00
Military division of the Missouri:					
Department of the Missouri.....	695	.....	.....	106,330 96	152 99
Department of the Missouri.....	.....	35	.....	5,556 25	158 75
Department of the Missouri.....	.....	.....	1,459	232,943 79	159 66
Department of the Platte.....	550	.....	.....	83,375 00	151 59
Department of Dakota.....	525	.....	.....	51,887 50	98 83
Military division of the Pacific:					
Department of California.....	250	.....	.....	15,050 00	*60 20
Department of California.....	.....	7	.....	1,534 75	*219 25
Department of California.....	.....	.....	235	28,300 50	*120 43
Department of Columbia.....	75	.....	.....	9,975 00	*133 00
Department of Columbia.....	.....	.....	200	21,600 00	*108 00
Depot at Baltimore.....	80	.....	.....	14,780 00	184 75
Depot at Jeffersonville.....	101	.....	.....	15,078 50	149 29
Total.....	2,741	72	2,864	788,971 25	

\* Coin.

Average cost of 2,416 cavalry horses, in currency.....	\$141 98
Average cost of 325 cavalry horses, in coin.....	77 00
Average cost of 65 artillery horses, in currency.....	154 71
Average cost of 7 artillery horses, in coin.....	219 25
Average cost of 2,429 mules, in currency.....	148 05
Average cost of 435 mules, in coin.....	114 71

*Statement of animals in the military service of the United States (including those on hand at quartermaster's depots) on the 30th day of June, 1868.*

Districts and departments.	In regiments and detachments.						At depots of quartermasters' department.						Total.			
	Horses.					Mules.	Oxen.	Horses.				Mules.	Oxen.	Horses.	Mules.	Oxen.
	Caval'y.	Artil'ry.	Team.	Private.	Total.			Caval'y.	Artil'ry.	Team.	Total.					
First military district .....	79	74	8	87	248	69				105	105	151		350	220	
Second military district .....	337	91	13	81	522			96		52	148	266		670	266	
Third military district .....	188		24	63	275	164		23		10	33	119		308	283	
Fourth military district .....	478	68	2	60	608	620		74			74	254		682	874	
Fifth military district .....	1,774	164	1	260	2,199	65		462	8	61	531	2,941	67	2,730	3,006	67
Department of the Cumberland .....	132			38	170	4		1		103	104	221		274	225	
Department of the East .....	100		103	237	440	40	2			8	8	4		448	44	2
Department of the Lakes .....		73	24	62	159	9								159	9	
Military division of the Missouri:																
Department of the Missouri .....	2,698	73		282	3,053	1,171		316	3		319	5,633	37	3,372	6,804	37
Department of the Platte .....	525	74	73	49	721	864	7	90		87	177	1,396		898	2,260	7
Department of Dakota .....	124			19	143	17	12	28		3	31	444	24	174	461	36
Military division of the Pacific:																
Department of California .....	815	88	38	268	1,209	66		52	32	250	334	1,704	13	1,543	1,770	13
Department of Columbia .....	640			52	692	12		192	1	216	409	1,241	47	1,101	1,253	47
Department of Alaska .....				4	4	47	2							4	47	2
Department and depot of Washington .....	143		14	236	393	55		4		97	101	247		494	302	
Depot of Baltimore .....				10	10			1		9	10	1		20	1	
Depot of Jeffersonville .....								61			61	41		61	41	
Total .....	8,033	705	300	1,808	10,846	3,203	23	1,400	44	1,001	2,445	14,663	188	13,291	17,866	211

## REGULAR SUPPLIES.

At the beginning of the fiscal year there were in store, since consumed, 129,434 bushels of corn, 202,649 bushels of oats, 8,201 tons of hay, and 692 tons of straw. There have been purchased and issued, in addition to these quantities, 1,438,292 bushels of corn, 952,886 bushels of oats, 50,367 tons of hay, and 1,525 tons of straw; making a total consumption of forage and straw, during the year, of 1,567,726 bushels of corn, 1,155,535 bushels of oats, 58,568 tons of hay, 2,217 tons of straw.

It was anticipated at the opening of the fiscal year that the department would be able to supply the posts and garrisons in the southern States with forage grown in the sections of country adjacent to the points of consumption. Owing, however, to the scanty crops raised, and the consequent high prices, it was found necessary to ship large quantities of forage from the northern and western States to southern depots.

Upon the plains the hay, to a great extent, has been procured by the labor of the troops.

The extension of the Pacific railroad has considerably diminished the cost of supplying grain at many of the frontier posts, although this reduction has, to a certain extent, been counterbalanced by the increased price paid for forage at posts at which large bodies of troops have been concentrated in anticipation of Indian hostilities.

There were in store July 1, 1867, since consumed, 18,239 cords of wood, 5,008 tons of anthracite coal, and 1,877 tons of bituminous coal. In addition, there were procured and issued 101,734 cords of wood, 14,644 tons of anthracite coal, and 10,896 tons of bituminous coal; making a total consumption during the year of 119,973 cords of wood, 19,652 tons of anthracite coal, and 12,773 tons of bituminous coal. This fuel was mostly procured under contract, and the remainder was obtained by the labor of troops.

## CONTRACTS FOR FORAGE AND FUEL.

There were made and approved during the year 398 contracts for forage, 42 of which provided for quantities to be delivered as required and 356 for specified quantities, aggregating as follows: 1,007,666 bushels of corn; 803,076 bushels of oats; 55,504 tons of hay; 1,531 tons of straw.

During the same period there were made and approved 186 contracts for fuel, 27 of which were for quantities as required, and 159 were for designated quantities, amounting as follows: 94,491 cords of wood; 30,331 tons of coal; 43,400 bushels of charcoal.

Under the operation of General Orders No. 97, Adjutant General's office, November 12, 1867, material changes have been made in the method of entering into contracts, the main features of the new regulations being that the award of the contracts is made by the district and department commanders, and the articles of agreement are signed by the chief quartermasters of the districts and departments, and not, as formerly, by the subordinate officers of the quartermasters' department on duty at the various posts and depots where the stores are consumed.

The execution of the order in question has conducted greatly to a more uniform and systematic method of contracting for supplies, and to a more economical administration of the affairs of the army.

## BARRACKS AND QUARTERS.

The principal operations in this branch of the service for the fiscal year ending June 30, 1868, may be noted as follows:

The fire-proof warehouse authorized by Congress (session of 1866) to be constructed at Schnylkill arsenal, Pennsylvania, has been erected by Messrs. Grant & Co., architects, under the direct supervision of the quartermasters' department. The same is now completed and is a large, commodious three-story brick structure, containing some 1,500,000 cubic feet of space. Large quantities of clothing, camp, and garrison equipage and other quartermasters' stores have been sent forward to Pennsylvania and stored in this building. The erection of this warehouse was a wise and judicious measure. It not only provides large storage facilities, but its location is central, and government stores can be shipped therefrom to all parts of the country, when authorized, without any delay or hindrance. As a consequence, also, of its construction, this department has been enabled to surrender several buildings which were leased by the United States for storage purposes, and for which heavy rent was paid.

The appropriation of \$150,000 authorized by Congress for the erection of fire-proof warehouses at Jeffersonville, Indiana, still remains unexpended. At the time this appropriation was made the government had an immense quantity of stores on hand at that depot. Peace having once more smiled upon the country, the large accumulation of property has been gradually reduced by auction sales and issues, until it has been finally decided by the War Department that to erect any new buildings at that place for storage purposes would not be an economical or a discreet measure. The buildings now located at Jeffersonville are, it is true, of a temporary character, but they are in good condition, and with ordinary repairs, as needed, will last as long as required. As the government does not own any land at Jeffersonville, and as there is no existing necessity for the purchase of any, the depot there will, within a few years, be broken up, and such stores as may then remain on hand will be transferred to other points, or otherwise disposed of.

For several years previous to May 1, 1868, the sum of \$103,050 was paid annually for rent of buildings for the accommodation of the staff departments of the government at New York city. Under the act of Congress of February 21, 1868, the Secretary of War was directed to lease two suitable buildings in that city—one for office purposes, at a rental not to exceed \$25,000 per annum, and another within the harbor of New York, or on the navigable waters thereof, for the safe and convenient receiving, storing, and care of all army stores of every kind and description, belonging to the quartermaster, commissary, clothing, ordnance, and medical bureaus, and recruiting service, at a rent not to exceed \$50,000 per annum. After a most thorough canvass of the city, a suitable building was found on the corner of Houston and Greenest streets, which not only furnished all the office room required for the several staff departments, but also afforded all the storage room required, except for the ordnance and medical bureaus. This building has been leased by the United States for five years from May 1, 1868, at an annual rent of \$25,000. An additional sum of \$17,500 per annum is paid for the use of a storehouse for the medical bureau, with use of stables, wharves, &c., for general purposes. Thus all the staff department offices are now concentrated in the building above referred to. Its location being central and of convenient access to all parts of the city, public business can be



easily and promptly transacted. By this action rents have been reduced from \$103,050 to \$42,500 per annum.

It is proper here to remark that this action was contemplated and partly carried into effect before any legislation in the premises was perfected by Congress.

At the time of rendering this report no definite action has been taken relative to securing a suitable building within the harbor of New York, or on the navigable waters thereof, for storage purposes.

The unexpended balance of the "sheltering fund," originally \$1,000,000, amounts to \$81,325. This sum has been placed to the credit of Brevet Brigadier General S. B. Holabird, chief quartermaster of the department of Dakota, subject to the order of the proper authority.

One hundred and forty-three buildings, such as temporary barracks, hospitals, storehouses, officers' quarters, &c., have been authorized to be constructed, under the direction of this office, by the War Department, during the past year, and the sum of \$470,170 has been expended for the purpose. These buildings have been erected at the military posts in Massachusetts, Rhode Island, New York, Texas, Maine, Washington, D. C., Georgia, Kansas, Michigan, Maryland, Virginia, New Mexico, Indian and Colorado Territories—the larger and more expensive portion having been constructed in the States of Georgia and Texas.

The sum of \$79,000 has been expended in making the necessary repairs, alterations, &c., to preserve and put in proper condition the public buildings at the various posts throughout the country.

The sum of \$189,637 60 has been authorized to be expended for the completion of certain buildings at the frontier posts in Texas. It is proper to remark, in this connection, that the Quartermaster General had no knowledge of the erection of these buildings until they had been partially completed. When brought to his attention, the work thereon was ordered to be suspended and the subject thoroughly investigated. It was found that this work had been ordered by the various commanding generals of the fifth military district.

As it appeared that a very large sum of money had already been expended on the buildings, and as these posts were found to be absolutely necessary to protect the interests of the United States, it was deemed advisable by the War Department to rescind the order of suspension. The sum before mentioned was therefore placed to the credit of the chief quartermaster of the fifth military district. Work has been resumed, and many of the buildings are now completed.

So far as reported to this office, 3,356 buildings of various descriptions are now occupied throughout the country for military purposes. Many of them, however, are of very rude construction, especially those located on the western frontier.

Orders have been issued during the year to sell at public auction 331 buildings of various dimensions.

One hundred and eight buildings have been transferred from the quartermasters' department to the Freedmen's Bureau at their appraised value.

#### CLAIMS.

The following is a statement of the number and value of claims upon which action has been taken during the fiscal year ending June 30, 1885, and yet to be disposed of, in this branch of the office:

*Number and value of claims.*

	Nature of claims.						Total number and value of claims.	
	Regular and miscellaneous supplies.		Public animals, teamsters, services, &c.		Buildings, barracks, rent, and labor.			
	No.	Amount.	No.	Amount.	No.	Amount.	No.	Amount.
On hand July 1, 1867...	5,970	\$2,862,835 42	8,313	\$2,478,275 95	1,055	\$1,234,032 98	15,338	\$6,575,144 35
Received during the fiscal year.....	1,870	1,416,246 35	1,439	487,731 01	1,529	1,733,077 01	4,838	3,627,054 37
Total.....	7,840	4,279,081 77	9,752	2,966,006 96	2,584	2,957,109 99	20,176	10,202,198 72

*Action taken.*

	Nature of claims.						Total number and value of claims.	
	Regular and miscellaneous supplies.		Public animals, teamsters, services, &c.		Buildings, barracks, rent, and labor.			
	No.	Amount.	No.	Amount.	No.	Amount.	No.	Amount.
Approved.....	496	\$152,154 13	530	\$93,145 89	316	\$255,015 26	1,342	\$500,315 28
Reduction on those approved.....		57,032 21		24,306 55		60,423 12		141,761 88
Rejected.....	1,574	1,053,985 09	3,877	1,409,734 89	235	190,710 40	5,686	2,654,430 38
Suspended, awaiting additional evidence, &c.....	5,394	2,923,664 31	4,619	1,307,735 70	1,723	2,361,306 91	11,736	6,592,706 92
Not acted upon.....	376	92,246 03	726	131,083 93	310	89,654 30	1,412	312,984 26
Total.....	7,840	4,279,081 77	9,752	2,966,006 96	2,584	2,957,109 99	20,176	10,202,198 72

In closing this report, the undersigned avails himself of the opportunity to express his acknowledgments to the several officers of the department associated with him for the uniform kindness and courtesy which have marked their personal and official intercourse, and also to the efficient clerks employed under his direction, for the valuable services they have rendered in the prompt and accurate despatch of the large amount of business intrusted to the charge of this branch of the Quartermaster General's office.

I am, general, very respectfully, your obedient servant,

JAMES A. EKIN,

*Deputy Quartermaster General, Brevet Brigadier General U. S. A.*

DEPOT QUARTERMASTER'S OFFICE,  
San Antonio, Texas, August 15, 1868.

GENERAL: In compliance with General Orders No. 15, current series from your office, I have the honor to submit the following personal narrative report of my duties for the fiscal year ending 30th ultimo:

During the year I have been on duty at this place as depot quartermaster, under assignment of Special Orders No. 40, headquarters department of the Gulf, dated at New Orleans, Louisiana, October 5, 1866, and Special Orders No. 28, headquarters sub-district of San Antonio, Texas, October 16, 1866, and, as such, have served under the orders of the chief quartermaster, district of Texas, and the commanding officer thereof. The late General Griffin was in command of the district up to the time

of his death, on the 15th of September last, since when Brevet Major General J. J. Reynolds has been. Brevet Brigadier General J. A. Potter, quartermaster United States army, has been the chief quartermaster for the fiscal year, except while absent on sick leave.

On the 15th of October I was, by General Orders No. 34, headquarters district of Texas, assigned as chief quartermaster during the absence of General Potter, in addition to my depot duties, from which duty I was relieved in January last.

By paragraph two, Special Orders No. 15, headquarters district of Texas, dated January 23, 1868, I was ordered to proceed to New Orleans, to confer with the chief quartermaster fifth military district, Brevet Brigadier General Charles H. Tompkins, deputy quartermaster general, to which place I started on the 25th of January, and returned on the 14th of February.

By paragraph three, Special Orders No. 100, headquarters district of Texas, dated June 22, 1868, I was ordered to proceed to Austin, to attend the session of the United States district court at that place, where I had been subpoenaed a witness in behalf of the United States. In performance of this duty, I left my station under telegraphic instructions on the 20th of June, and returned on the 24th of that month.

At the commencement of the year I was on duty as depot quartermaster at this place, and in addition had charge of all the lines of wagon transportation from the coast to this point and Austin, and from both places to all the frontier posts. I was also charged with the duty of the supervision of the work on the frontier posts in Texas, consisting of the posts of Forts Stockton and Davis and Fort Chadbourne, (now abandoned and Fort Concho occupied instead,) Fort Belknap, (now abandoned and Fort Griffin established instead,) and Buffalo Springs, (now abandoned and Fort Richardson, at Jacksboro', established instead,) the extent of all of which are given in my last annual report.

I was further required to supervise the state of supplies at all the frontier posts, on the western and northwestern frontiers, and to procure the necessary amounts of regulated ones, such as fuel and forage.

The duties of the depot are best shown in the reports accompanying this. The disbursements have been large, and a vast amount of stores have been received and transferred. All the materials, tools, &c., for the construction of the various posts had to be estimated for, and great care exercised that nothing might be neglected and the work delayed in consequence. The method of procuring these supplies was the customary one of inviting bids; those for wood usually opened about the 1st of December for the year commencing on the 1st of January following, and the contracts made for such as might be required during the year. and called for by the quartermaster in charge. The reasons for contracting in this way, and not for definite quantities, were that a full supply was thus provided for and no chance of loss from abandonment, as the quartermaster could call month by month for such as might be needed; whereas, on the contrary, posts are often broken up, abandoned or changed, or the strength of the garrison augmented or diminished, so, if a large or stated supply were accumulated at remote frontier posts, losses might often ensue, and if the strength of the post were increased the supply would be inadequate. Hence, I deem it better to contract in the way I have stated, and think the plan the best for all frontier posts.

Hay has also been contracted for yearly, about the middle of May, which is the best time in this State, as by that time the crop can be determined with a reasonable degree of accuracy, and the prices thus made equitable. Under the present system, however, I look for less

advantageous terms, as the contracts should be made early in May, that the deliveries may commence in June, which is sometimes the best month for hay, whereas under existing orders the bids are received either here or in New Orleans, but must needs be referred to department headquarters for award, which, from slow and imperfect means of mail communication, takes a long time. So, awards of hay contracts will have to be made earlier to secure the supply in the proper months, and thus the government will not reap the advantages that might arise from favorable seasons, and will usually pay higher prices, as bidders, from the uncertainty existing in bidding early, will bid higher to cover possible contingencies.

In my opinion the hay contracts, and, in fact, all the contracts for the regulated supplies for the district of Texas should be awarded in Texas, either at the headquarters of the district, or at some other place in the State, and that the government would be benefited many thousands of dollars per annum by so doing. This has already been recommended by Brevet Brigadier General C. H. Tompkins, chief quartermaster fifth military district, and the reasons are cogent and obvious. Chief among these are the delays and confusion that arise from sending the bids to headquarters, at New Orleans, for the awards. There is nothing to bind a man to his bid, except his own faith, which he readily keeps when to his advantage; but I have found it done most reluctantly in Texas when otherwise. Besides, there is some uncertainty about awards, and bidders are greatly averse to waiting in such suspense, and often engage in other operations which they do not like again to relinquish. There can be no doubt of the error of the present system, which will cost the quartermasters' department many millions of dollars, if not speedily done away with. The true plan is for the awards to be made on the day of opening, and if proper authorities have not sufficient confidence in the ability or integrity of the officers of the quartermasters' department, let it be done by such other as may be determined upon, but let the awards be made at the time of opening. No other course is so advantageous. Business men like prompt dealing, and grow restive under delays and uncertainty.

Corn has been contracted for three times per year, quarterly for the last two quarters of the year, and semi-annually for the first two quarters. This method secures the lowest prices, by enabling bidders to judge accurately of the crops.

All have heretofore been regularly advertised for at the proper time in advance of the period stated, to provide for delivery promptly at the time required, and the division of the year given enabled the department to avail itself of the lowest prices. By the new system, the contracts will have to be let earlier, and the natural course will be for the bidders to bid high enough to provide against the chances of loss, whereas, under the old system, the lowest prices could be had conforming to the state of the crops.

The transportation service by wagon has been performed with great promptitude and vigor by the contractors—H. B. Adams, Adams & Wickes, and Andrew Stewart. The annexed reports show that 6,882,925 pounds have been transported from Indianola to San Antonio (155 miles) by contractors, and 355,310 pounds by public wagons, and 1,487,253 pounds from Indianola to Austin (170 miles) by contractor's wagons. They also show 4,669,500 pounds shipped forward from San Antonio by contractors, and 409,715 pounds by government wagons, and 1,084,791 pounds from Austin by contractor's wagons. The cost of the transportation is also shown in the report marked X. A large

additional expense was created by the movements of the troops ordered during the winter and early spring, which it is hoped need not be incurred this year. Few commanding officers know the great cost of transporting troops, and they rarely consult the officers of the quartermasters' department in regard to it. In fact, it is seldom taken into consideration, or it would seem that many expensive changes might be avoided.

The duty of supervising the construction of the posts on the frontier has had all the attention I could give it at this distance.

Brief mention of the commencement of this work was made in my last annual report, and the observations therein contained are reverted to and still adhered to.

On receipt of the orders to take supervision of this work, I prepared plans and submitted them for approval, and made estimates for tools, material, &c., all in careful detail. In the mean time, I addressed letters to the acting assistant quartermasters at the various points, calling for reports as to the material and resources of the country adjacent to the posts.

On receipt of orders to take charge of this work, I gave my views as to the manner of procuring lumber, which is very scarce indeed in Texas. No very specific instructions were given me, the directions being of a general and comprehensive character, leaving me to suppose that the details were all to be provided for by myself. In fact, the letters of instructions led me to infer this beyond doubt. I, therefore, made my recommendations as to the methods of procuring lumber and material of different kinds. Soon after, however, I received advices that a number of mills were on the way to me. From this fact, I judged that the country adjacent to the posts had been thoroughly examined, preparatory to the determination to build, and that a knowledge of the whereabouts of lumber had been fully ascertained; and as no mention of the matter was made to me in any communications on the subject, I very naturally inferred that it was in such close contiguity to the posts as to admit of no necessity for special instructions. Under these circumstances, I instructed the several officers in the immediate charge of the duties at the posts that these mills, with engineers, sawyers, &c., would be sent to them, and that from this source they must obtain their lumber. Subsequently plans were forwarded to the different points with specifications and detailed statements of material, &c. Tools and material were obtained and forwarded, and such mechanics as had been determined on were hired and sent. These were sent first to Buffalo Springs early in the summer, and also to Fort Belknap.

The officer in command at the latter place had, it appears, made a report unfavorable to its occupation, and on the 6th of July I received orders to suspend work at that post. The mechanics were by that time well on their way, if not already there. To lose no time or expense, I sent orders to have the men at Belknap transferred to Buffalo Springs, some seventy miles distant, until work should be recommenced at Belknap. It was supposed by me that another site would be selected without delay, and I yet think this would have been done had it not been for the fearful ravages of the yellow fever at the coast, which, to a certain extent, paralyzed the action of department and district headquarters.

In the mean time the mechanics, tools, &c., had been sent to Chadbourne, but Brevet Lieutenant Colonel E. I. Strang, assistant quartermaster, who had been assigned to duty with me, and who had been sent out specially to inspect and superintend the work, while there, had in con-

nection with the commanding officer of the post suspended work, as it was found that there was insufficient water for the post. These facts were promptly reported by me, and instructions asked in relation to determining upon another site for that post.

Months passed, and still nothing was determined upon. I repeatedly urged that sites be selected, that the work might go forward.

On July 17 I received letters, informing me that the temporary occupation of a camp at Maxwell's ranch was determined upon, afterward named Camp Wilson, now known as Fort Griffin. I was directed to prepare it for the receipt of troops, and to provide temporary store-houses, &c.

In August and September the help and material were sent to Davis and Stockton. It was, for several reasons, impossible to send them earlier, and in fact the posts were not occupied until July. At Davis some pine lumber could be had, but it could only be obtained with great difficulty from the mountains. At Stockton nothing could be procured toward building but stone, lime, sand, and mud—the post being in the middle of plains, prairies, and barren mountains, extending hundreds of miles in every direction.

It was determined to build at Stockton of adobe with stone foundations, and at the other places of stone, provided no more suitable material could be had. This was a necessity owing to the great scarcity of lumber.

Matters continued in the state indicated, viz: the work progressing at Buffalo Springs, Davis, and Stockton, and awaiting decisions as to the sites of Belknap and Chadbourne, until in October, when General Reynolds arrived here, *en route* to Austin, to establish his headquarters there. I at once laid the case before him fully, and urged that sites be determined upon.

The authority to do this had been given to the commanding officer of the district, but owing to the confusion caused by the death of so many staff officers, and last by General Griffin's, it had not been acted upon.

I suggested to General Reynolds the propriety of sending a board of officers, of known experience, to determine on the sites.

At this time, for the first, and then not officially, it was found that Buffalo Springs must be added to the list of places found to be inadequately supplied with water.

Thus, the Quartermaster General will observe, that so far, *all* expense incurred at the three northern posts was chargeable to the fact that the points and circumstances had not been fully considered prior to ordering the work commenced, and not in any degree to the quartermasters' department.

On or about the 21st of October, a board for the purpose named was appointed, consisting of Brevet Major General A. McD. McCook, lieutenant colonel 26th infantry; Brevet Brigadier General John P. Hatch, major 4th cavalry; Brevet Brigadier General J. S. Mason, major 35th infantry; and Captain D. W. Porter, assistant quartermaster.

The latter, on my recommendation as chief quartermaster of the district, was also assigned to the special duty of constructing the posts determined upon, afterward Forts Concho, Griffin, and Richardson.

This board started on the 1st of November, and returned about the end of that month, having determined upon the following sites, viz: a post at the forks of the north and main Concho rivers, now Fort Concho, instead of Fort Chadbourne; a post on the Clear Fork of the Brazes, in the north part of Shackelford county, and nearly south of old Camp Cooper (now Fort Griffin,) instead of Fort Belknap; and a post at Jackboro', Jack county, instead of Buffalo Springs. The commanding officers

were ordered to occupy these points at once, and from this time the work of construction can be regarded as commencing.

From thence to the end of the year the work has progressed steadily though somewhat slowly, owing to the scarcity of proper lumber, and the great physical obstacles that interpose everywhere over the State of Texas.

At Jackboro', Fort Richardson, the building is being done both of stone and wood, and up to the first of July much had been done.

At Fort Griffin a temporary post had been constructed, to a great extent, when the sites were selected, and it was determined to continue it, as the buildings were, though rude, of a character to last several years, and it was thought better to avail of them than to increase expense by building all new buildings.

At Concho the most of the buildings will be of stone, owing to the extreme scarcity of lumber, though adobes will be used to some extent.

At Stockton the buildings will be of adobe, except the foundations.

At Davis they will be of stone and adobe.

I would particularly refer to special report of buildings erected at each place, as shown by accompanying report marked O.

The funds supplied the several posts is shown in special report, marked P. I am unable to give the amount disbursed at the various places, owing to the tardiness of reports not yet in.

In November, Brevet Lieutenant Colonel Strang, assistant quartermaster, who had been assigned to me for the special purpose of supervising the work by personal attention, was taken ill, and remained too sick to attend to business during the rest of the year. In January he went on sick leave and has not yet returned. I would refer to his report as giving in detail some of the operations herein referred to, an extract of which is herewith transmitted, marked Q.

There have been furnished, from time to time, 35 six-mule teams and wagons, and 1 twelve-ox team and truck to Buffalo Springs and Fort Richardson; 24 six-mule teams and wagons, and 2 twelve-ox teams and trucks to Forts Belknap and Griffin; 55 six-mule teams and wagons, and 2 twelve-ox teams and trucks to Forts Chadbourne and Concho; 30 six-mule teams and wagons, and 1 twelve-ox team and truck to Fort Stockton; and 33 six-mule teams and wagons, and 2 twelve-ox teams and trucks to Fort Davis.

I am aware that some persons have been and will be, without fully understanding all the points herein briefly alluded to, disposed to criticise in an unfriendly and severe manner the mode of prosecuting this work. But it is clear to my mind that though blunders were made in setting about the work before it was fully considered and matured, yet all obstacles have been promptly and vigorously surmounted, and that to-day as much work has been accomplished as could reasonably have been expected.

The resources of the country have also been fully ascertained and made available, and the work is now going forward with all possible vigor.

Returning to the duties of the department I have briefly to add, that throughout the summer and fall of last year they were arduous and heavy, but after the troops had reached their several destinations, and were supplied, the labors were systematized and became regular and easier.

Captain D. W. Porter, acting quartermaster, who had, on August 17, been assigned to me as assistant at this depot, was taken away for duty at the frontier posts on the 26th of October, and I received but little aid from him.

When, however, by the operations of General Orders No. 97, Adjutant General's office, I was relieved from the duty of supplying the several posts, and in January the office of the chief quartermaster of the district of Texas was established at Austin, the supervision of many of the posts, heretofore exercised by me, was assumed at that office, the duties have been lessened and simplified to a great extent, and matters at the close of the year were running smoothly and pleasantly.

I have asked to be relieved from the charge of the construction of the frontier posts, which duty I have never conceived belonging rightly to me, but having been charged with, I have endeavored to perform it to the best of my ability.

I further think that the supervision of the supplies at the several posts in the district should be exercised at the office of the chief quartermaster, and have also asked to be relieved from that.

The duties of this depot and post alone are enough for one officer.

My report is already voluminous, but I wish to revert to one matter before I close. It has been projected, and is yet in contemplation, to remove the depot in Texas from San Antonio to Austin. I therefore subjoin two tables showing the difference in cost of transportation via San Antonio and Austin.

*Statement of the relative cost of transportation of stores from Indianola to posts in northern Texas, via Austin and via San Antonio, for the first six months of the fiscal year ending June 30, 1868.*

From Indianola to Austin, 170 miles, at \$1 45 per 100 pounds per 100 miles.....	\$2 46.50	From Indianola to San Antonio, 155 miles, at \$1 55 per 100 pounds per 100 miles...	\$1 72.50
From Austin, at \$2 35 per 100 pounds per 100 miles—		From San Antonio, at \$1 34 per 100 pounds per 100 miles—	
	Total.		Total. Difference.
To Fort Griffin, 322 miles ...	\$7 56.70	305 miles .....	\$4 08.70 \$5 81.30 \$4 21.90
To Buffalo Springs, 283 miles.	6 65 05	363 miles .....	4 86.42 6 59.02 2 52.53
To Ft. Richardson, 250 miles.	5 87.50	330 miles .....	4 42.20 6 14 40 3 19.20
To Waco, 100 miles .....	2 35	180 miles .....	2 41.20 4 13.80 67.70
To Wetherford, 200 miles....	4 70	280 miles .....	3 75.20 5 47.80 1 68.70
To Sherman, 30 miles.....	7 05	380 miles .....	5 09.20 6 81.80 2 69.70

*Statement of the relative cost of transporting stores from Indianola to the posts in northern Texas, via Austin and via San Antonio, for the last six months of the fiscal year ending June 30, 1868.*

From Indianola to Austin, 170 miles, at \$1 67 per 100 pounds per 100 miles.....	\$2 83.90	From Indianola to San Antonio, 155 miles, at \$1 27 per 100 pounds per 100 miles...	\$1 96.85
From Austin, at \$2 35 per 100 pounds per 100 miles—		From San Antonio, at \$1 52 per 100 pounds per 100 miles—	
	Total.		Total. Difference.
To Fort Griffin, 322 miles ...	\$7 56.70	305 miles .....	\$4 63.60 \$6 60 40 \$3 80.20
To Buffalo Springs, 283 miles.	6 65.05	363 miles .....	5 51.96 7 48.61 2 00.34
To Ft. Richardson, 250 miles.	5 87.50	330 miles .....	5 01.60 6 98 45 1 72.95
To Waco, 100 miles.....	2 35	180 miles .....	2 73.60 4 70 45 48.45
To Wetherford, 200 miles....	4 70	280 miles .....	4 25.60 6 22 45 1 31.45
To Sherman, 300 miles .....	7 05	380 miles .....	5 77.60 7 74 45 2 14.45

Thus a vast saving is shown on every hundred pounds of freight, and when it is observed by the transportation reports hereto annexed that at an average it would have cost \$16,981 65 less to have performed transportation via San Antonio, besides saving the cost of another depot at Austin, one of the most cogent reasons will have been given why the depot should not be removed. There are many obvious ones, however, chief among which is the fact that this depot is accessible from all points, and that the roads from here are direct and good, whereas, from Austin, or in fact any other point, the roads are neither direct nor available.

Another reason is that transportation can always be obtained here, it being the great centre of freighters, not only for Texas, but Chihuahua, and in fact all northern Mexico.



The same project has been tried in years past—before the war—Austin, Indianola, and Corpus Christi having severally been chosen for the depot, but in every instance it was found impracticable and injurious to the public service, and it was restored to this place.

I would respectfully call the attention of the Quartermaster General to the recommendations in my last annual report in relation to cavalry horses for the Texas frontiers, and would urge the consideration of it or some similar plan. I am satisfied a great saving would be made to the quartermasters' department thereby.

The suggestions offered therein are also adverted to.

Very respectfully, your obedient servant,

J. C. G. LEE,

*Brevet Lieutenant Colonel and A. Q. M., U. S. A.*

Brevet Maj. Gen. M. C. MEIGS,

*Q. M. General U. S. A., Washington, D. C.*

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*Extract from report of Brevet Lieutenant Colonel E. J. Strang, assistant quartermaster United States army.*

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#### BUFFALO SPRINGS

Is situated in Clay county, 275.9 miles north of Austin, and 357.4 miles east of north from San Antonio. The country in the immediate vicinity of the post is rolling prairie of deep, black loam, well adapted for agricultural and grazing purposes. Patches of scrubby timber dot the prairie and add much to the beauty of the landscape. The hills near the west fork of the Trinity river are thickly wooded with live-oak, black jack, and hackberry of small growth. From the nature of the soil the roads are rendered execrable in wet weather; the innumerable small creeks emptying into the Trinity soon become swollen, and sometimes impassable, often rendering communication with the base of supplies extremely difficult. Water was supplied by two large springs, and though there was ample at the time I was at the post, it was apprehended that the supply would be inadequate during a dry season.

The plans furnished contemplated the erection of stone quarters for two companies of cavalry, though the post was to be laid out for a garrison of four companies. The buildings ordered to be constructed were as follows: 1 for commanding officer, 2 quarters for captains, 5 for sub-alterns, 2 for companies, 1 office, 1 magazine, 1 guard-house, 1 quartermaster storehouse and sub-storehouse, 1 hospital and kitchen, 3 stables and 1 workshop—21 buildings.

A force of 63 mechanics, a portable steam saw-mill, and train of 13 six-mule teams were sent from San Antonio, June 12, and reached their destination about the 25th of July. The force was further increased on the 7th of August by 23 masons and quarrymen, whose services were not required at Fort Belknap. The following table will show the number and classification of employes engaged in the construction of the post at different periods, until the date the work was abandoned and Lieutenant T. C. Tupper relieved by Captain D. W. Porter, assistant quartermaster, to whom the employes were transferred:

*Number and classification of employés.*

Classes of employés.	Aug. 31, 1867.	Sept. 30, 1867.	Oct. 31, 1867.	Nov. 20, 1867.	Classes of employés.	Aug. 31, 1867.	Sept. 30, 1867.	Oct. 31, 1867.	Nov. 20, 1867.
Clerks .....	1	1	1	1	Quarrymen .....	14	13	8	7
Superintendents .....	2	1	1	1	Lime-burners .....	1	1	.....	.....
Foremen of mechanics .....	1	2	2	2	Cooks .....	3	2	3	2
Engineers .....	1	1	1	1	Laborers .....	1	2	10	10
Sawyers .....	1	.....	.....	.....	Teamsters .....	.....	14	12	11
Masons .....	39	38	33	30	Extra-duty men .....	.....	26	25	25
Carpenters .....	18	15	13	15					
Wheelwrights .....	2	1	2	2	Total .....	88	120	114	110
Blacksmiths .....	4	3	3	3					

The cost per month for services rendered by employés and extra-duty men on account of the construction of the post, is as follows: July, \$7,733 22; August, \$6,813 69; September, \$6,371 55; October, \$6,020 08; 20 days in November, (estimate—no reports received,) \$3,793 33; total, \$30,731 87. On the date of my arrival at Buffalo Springs, (August 7,) no site had been selected for the saw-mill. After an examination of the surrounding country it was decided to locate it on the west fork of the Trinity, at a point where there was some ash timber, about 30 miles from the post. A new road had to be opened, and much difficulty and delay experienced by the prevalence of intermittent fevers among the workmen, the incompetency and inefficiency of some of the mechanics, and the constant breaking of wagons. The mill did not get into operation until the middle of September, when, after some 200 logs had been sawed, it was found that the lumber was totally unfit for building purposes, the ash timber, in particular, being rotten at heart and not worth transportation to the post. The mill was taken down and moved about the 1st of November to a point on Sandy creek, 25 miles from its former location, and 30 miles from the post, where the timber is described as heavier, better quality, and not so much scattered.

The post was abandoned about November 20, at which time the following progress is reported as having been made: The walls of one storehouse nearly completed, and those of another one-fourth in height; a log bakery; a blacksmith's shop, with two forges; a new road cut through to Jackboro', shortening the distance seven miles; a new bridge constructed over west fork of Trinity river; 150 saw-logs along banks of Trinity; 520 bushels of lime burned; 18,000 feet of lumber sawed by mill; and nearly sufficient stone quarried and hauled for the completion of the buildings.

The disbursements of public funds on account of the construction of buildings at the post were as follows: Purchase of frames and casings at San Antonio, \$5,430; purchase of material at Buffalo Springs, \$250; paid employés and extra-duty men, \$20,970 10; total, \$26,650. A balance of \$9,349 89 construction funds was in hands of Lieutenant Tupper, acting assistant quartermaster, October 31, 1867, and supposed to have been transferred to Captain D. W. Porter, assistant quartermaster United States army.

The cost of constructing the post up to the date it was abandoned, so far as can be ascertained from the records of my office, is as follows: Hire of employés, \$30,282 97; pay of extra-duty men, \$448 90; hire of

oxen and timber trucks hauling logs to saw-mill, \$1,687; value of stores reported to have been expended, \$1,128 87; cost of transporting the same from San Antonio to Buffalo Springs, \$533 42; total, \$34,080 16.

#### CAMP WILSON.

This post was established by the garrison of Fort Belknap, August 1, 1867, at Maxwell's Ranch, on the Clear Fork of the Brazos river, about 10 miles below old Camp Cooper.

Twenty-two carpenters, one superintendent, two engineers, and two sawyers, were left with Lieutenant H. B. Mellen, post quartermaster, to construct temporary shelters for the protection of stores and supplies, and to procure and prepare material for the permanent post.

About the 10th of November a board of officers, appointed for the purpose, fixed the location for the permanent post at Maxwell's Ranch, and its construction was placed under charge of Captain D. W. Porter, assistant quartermaster United States army. The post is now known as Fort Griffin.

The following temporary buildings are reported to have been erected under the supervision of Lieutenant H. B. Mellen, acting assistant quartermaster, by direction of the post commander, viz: 1 log storehouse, 100 by 18 feet; 2 frame storehouses, 70 by 18 feet; 1 log hospital, 40 by 18 feet; wing of hospital, 28 by 16 feet; 1 log quarters for commanding officer, 34 by 15 feet; 1 frame kitchen, 12 by 20 feet; 2 frame quarters for officers, 32 by 16 feet; 2 frame kitchens, 16 by 20 feet; 1 frame quarters for post surgeon, 12 by 28 feet; 1 frame kitchen, 12 by 20 feet; 2 frame buildings for first sergeants, 12 by 15 feet; 18 frame company quarters, 8½ by 13 feet; and 1 frame stable, 10 by 180 feet; all of which were completed, with the exception of roofs. One thousand and twenty-five logs, and 83,264 feet of lumber sawed by the portable steam saw-mills were used in the construction of these buildings. Lieutenant Mellen reports \$7,552 05 as having been expended on account of the temporary post, of which amount \$4,500 was of funds set apart for the construction of buildings at frontier posts.

The cost of the temporary post, as far as can be ascertained, is as follows: Hire of employes from August 1 to November 10, \$17,902 50; pay of extra-duty men for the same period, \$367 05; total, \$18,269 50. No reports of stores expended in construction of the temporary buildings have been received. It is probable their value, with transportation added, would make the total cost of the temporary post exceed \$22,000.

#### FORT CHADBOURNE OR CONCHO.

The insufficiency and unhealthy quality of water in the vicinity of Fort Chadbourne, together with the distance of the post from the most frequented routes of travel, induced me to recommend the construction of the permanent post in a more favorable and convenient locality. Accordingly, nothing was done at the old post toward rebuilding the same. The steam saw-mills were sent to the north fork of Concho river, 40 miles from Chadbourne, where there was an abundance of water at all times, and where it was presumed the new post would be located. A sufficiency of pecan timber, (the only kind in that section of the country available for building purposes,) From causes of which I am uninformed, the mills did not get in operation until the middle of October and first part of November. The mechanics sent from San Antonio on the 1st of August reached their destination about the middle of the same month, and were kept employed in quarrying stone, felling trees, constructing temporary shelters, &c.

No material progress was made with the construction of the post, its permanent site not being determined upon until November, when Captain D. W. Porter, assistant quartermaster, was placed in charge of its construction. Subsequently the mills were removed to the junction of the north and main forks of the Concho river, near the new location of the post. The stone, logs and material prepared, were not available, owing to distance of transportation.

Of the funds set apart for the construction of the post, there was expended for hire of employes, \$1,373 58; for pay of extra-duty-men, \$354, and for blasting powder, fuze, &c., \$101 01, leaving a balance of \$26,627 41 in the hands of Lieutenant W. C. Hemphill, acting assistant quartermaster, to be transferred to Captain D. W. Porter, assistant quartermaster, for the payment of the employes, who were also transferred to the same officer.

The cost of the post to November 10, 1867, is as follows: Hire of employes, \$27,347 99; pay of extra-duty-men, \$684 20; value of stores reported as expended in blasting, &c., \$130 23; cost of the transportation of the same from San Antonio to Chadbourne, \$46 50. Total cost, \$28,218 93.

#### FORT DAVIS

is 465.7 miles northwest from San Antonio, and 73.8 miles south of west from Fort Stockton. It is situated at the mouth of a cañon that shelters the post from all winds except those prevailing from an easterly direction. The surrounding mountains, composed of perpendicular layers of volcanic rock, curiously piled, are grand and picturesque, and add much to the beauty of the situation, while the atmosphere is so clear and transparent that a mountain known as "Bishop's Mitre," 25 miles distant, appears but five. Limpia spring and creek are near the post and afford an abundant supply of water.

The plans furnished contemplated the erection of stone buildings for six companies of cavalry. The saw-mills arrived in August, were located in Limpia creek at the post, and commenced operations in September. Logs were procured from the pineries in Limpia cañon and hauled to the post, a distance of 22 to 25 miles. The mechanics arrived from San Antonio and commenced work early in September; the carpenters in preparing casings, mantles, &c., and the masons in dressing stone, &c.

Quarries of an excellent quality of red sandstone were opened within a half mile of the post. Limestone could not be found nearer than 35 miles, at which distance a kiln was built and lime burned and hauled to the post. Unfortunately a boiler of one of the steam saw-mills exploded about the 1st of October and was rendered useless. The remaining mill continued in operation with but one accident.

The following is a summary of the progress reported to have been made to December 31, 1867: Quarters for commanding officer completed with exception of shingling roof; the stone work of one building for captain's quarters completed; the foundations of remainder of officers' quarters laid and ready for joists; 70,000 shingles prepared and ready for use; 89,317 feet of lumber was sawed by the mills, and 2,500 saw logs had been hauled from the pineries to the mills, also 422 bushels of lime burned.

The following table shows the number and classification of employes engaged in the construction of the post at various dates:

Classification.	Sept. 30, 1867.	Oct. 31, 1867.	Nov. 30, 1867.	Dec. 31, 1867.
Clerks.....	1	1	1	1
Foreman of mechanics.....	3	2	1	2
Engineers.....	2	2	1	1
Sawyers.....	2	2	1	1
Masons.....	40	30	28	25
Carpenters.....	43	45	37	36
Wheelwrights.....	1	1	1	1
Blacksmiths.....	4	4	3	1
Quarrymen.....	8	8	7	9
Lime-burners.....	1	1	1	1
Assistant wagon-master.....			1	1
Teamsters.....			13	13
Cooks.....	2	2	1	2
Laborers.....	15			10
Extra-duty men.....	46	26	42	52
Total.....	168	124	138	159

The expenditures on account of the construction of the post were as follows: Purchase of material, mostly frames and casings, \$9,660 22; hire of employes, \$29,671 55; pay of extra-duty men, \$780 50; total disbursements, \$40,112 27, leaving a balance of \$1,184 61 of construction funds in hands of Brevet Captain J. G. Birney, acting assistant quartermaster, December 31, 1867.

The cost of the post to December 31, 1867, is as follows: Hire of employes, \$40,931 38; pay of extra-duty men, \$1,069 95; value of stores expended in building quarters, \$285 03; cost of transportation of same from San Antonio to Fort Davis, \$223 07; total cost, \$42,509 43.

#### FORT STOCKTON

is 391.8 miles west-northwest of San Antonio, via Fort Clark and Camp Hudson. The post is situated on Comanche creek, which affords a bountiful supply of clear water—slightly brackish. The surrounding country is similar in character to the Staked Plains which it borders—timberless and barren, bleak and desolate. Fuel cannot be obtained nearer than 28 miles, and then only mesquit roots dug out of the ground. Grazing is good for a portion of the year along Comanche creek, but hay had to be cut and hauled a distance of 15 miles.

The steam saw-mills arrived at the post early in August, but were not located owing to there being no accessible timber found within a reasonable distance. The absence of timber necessitated the procurement of lumber by purchase, and its transportation by wagon over 300 miles from Uvalde.

The mechanics arrived at the post on the 10th of October, and were engaged in such laboring and mechanical work as could be found for them until the arrival of lumber. The following table shows their number and classification at different periods:

*Number and classification of men employed at Fort Stockton.*

Classification.	Sept. 30, 1867.	Oct. 31, 1867.	Nov. 30, 1867.	Dec. 31, 1867.
Superintendent.....	1	1	1	1
Foreman of mechanics.....			3	3
Assistant foreman of mechanics.....			3	3
Engineers.....	2	2	2	
Sawyers.....	2			
Masons.....	57	57	50	40
Carpenters.....	43	43	41	39
Wheelwrights.....	1	1	1	1
Blacksmiths.....	2	2	2	2
Quarrymen.....	6	6	5	4
Lime-burners.....	1	1		
Wagon masters.....			1	
Teamsters.....				21
Cooks.....	4	4	4	2
Laborers.....			24	14
Extra-duty men.....			18	43
Total.....	119	117	155	173

The post was designed for four companies of cavalry, and adobes substituted for the buildings in lieu of stone, with the exception of stone foundations. The following progress is reported to have been made to December 31, 1867: Four stables, 33½ by 250 feet, completed, with exception of roofs, doors, and stalls. Stone foundations for two company quarters completed and ready for joists; 656 perch of stone was quarried and laid in foundations, 200 perch quarried and burned into lime, and 200 perch quarried and ready for use; also 450 bushels of lime burned.

The expenditures on account of the construction of the post were as follows: Purchase of adobes, \$3,976 66; purchase of wood for burning lime, \$888; purchase of frames and casings, \$3,188 40; purchase of 72,808 feet of lumber, \$3,109 90; purchase of 120,000 shingles, \$1,314; hire of employes, \$23,509 47; pay of extra-duty men, \$479 25; total disbursements on account of the post to December 31, 1867, \$36,465 68.

The cost of the post to December 31, 1867, is as follows: Services of employes, \$37,888 17; pay of extra-duty men, \$514; cost of adobes used in buildings, \$3,976 66; cost of 48 cords of wood for burning lime, \$888; value of stores reported as expended in construction of building, \$18 50; cost of transportation of the same from San Antonio, \$16 25; total cost, \$43,301 58.

## INCIDENTAL.

From May 1, 1867, to January 31, 1868, the incidental expenses connected with the construction of the frontier posts, including the expenses of my immediate department were as follows: Amount of purchases, \$72; hire of employes, \$6,268 14; postage, telegrams, &c., \$24 30; total, \$6,364 44. This amount equally apportioned to the five posts would add \$1,272 89 to the cost of each post.

## RECAPITULATION.

Expenditures on account of Buffalo Springs, to November 1	\$26,650 10
Expenditures on account of Camp Wilson to November 10	7,552 05
Expenditures on account of Fort Concho, or Chadbourne	1,828 59
Expenditures on account of Fort Davis to December 31, 1867	40,112 27

Expenditures on account of Fort Stockton to December 31, 1867.....	36,465 68
Expenditures on account of frontier posts.....	6,364 44
Total public funds disbursed on account of frontier posts.	<u>118,973 13</u>
Cost of Buffalo Springs to date of abandonment, November 20	\$34,080 16
Cost of Camp Wilson to November 10, 1867.....	18,269 50
Cost of Fort Concho to November 10, 1867.....	28,218 93
Cost of Fort Davis to December 31, 1867.....	42,509 43
Cost of Fort Stockton to December 31, 1867.....	43,301 58
Incidental expenses on account of frontier posts to January 1868.....	6,364 44
Total cost.....	<u>172,744 04</u>

From the above it will be perceived that there was an outstanding indebtedness on account of the construction of the posts of \$53,770 91, to meet which there was in the hands of various post quartermasters \$37,161 16.

\* \* \* \* \*

*Report of buildings completed and in course of construction at posts on the western and northwestern frontier of Texas during the fiscal year ending June 30, 1868.*

Name and location of post.	Buildings constructed.	Dimensions.	Material used in construction.	Remarks.
Buffalo Springs, Clay county, Texas.	2 store houses ..... 1 bakery ..... 1 blacksmith's shop .....	Unknown ..... Unknown ..... Unknown .....	Stone ..... Stone and logs ..... Stone .....	The post was abandoned in November, 1867. The walls of one storehouse were nearly completed, and those of the other one-fourth in height. (Reports of Lieutenant T. C. Tupper, A. A. Q. M., for September and November, 1867, and of Captain D. W. Porter, A. Q. M., February 1, 1868.)
Fort Richardson, near Jackboro', Jack county, Texas.	2 storehouses ..... 1 hospital ..... 2 hospital wards ..... 1 kitchen ..... 1 bakery ..... None .....	25×60 each ..... 40×50, 2 stories .. 27×47 each ..... 12×15 ..... 21×27 .....	Stone and wood... Stone and wood... Stone and wood... Stone and wood... Stone and wood... .....	Post designed for six companies of cavalry and two companies of infantry. (Reports of Captain D. W. Porter, A. Q. M., for March, April, and May, 1868.)
Fort Belknap, near Brazos river, Young county, Texas.				The post was abandoned in the latter part of July, 1867, and a temporary post established at Maxwell's Rancho, (since known as Camp Wilson and Fort Griffin.)
Fort Griffin, on Clear Fork of Brazos river, Shackleford county, Texas.	1 officers' quarters ..... 2 officers' quarters ..... 2 officers' quarters ..... 1 dining-room and kitchen... 3 dining-rooms and kitchens.. 2 dining-rooms and kitchens.. 1 hospital ..... 1 hospital ward ..... 1 adjutant's office ..... 1 guard-house ..... 1 for officer of the guard ..... 1 reading-room ..... 1 forage storehouse..... 2 storehouses ..... 36 quarters for enlisted men.. 4 first sergeant's quarters .... 1 office .....	16×38 ..... 16×32 each ..... 12×18 each ..... 12×28 ..... 16×20 each ..... 14×20 each ..... 18×46 ..... 16×32 ..... 12×28 ..... 12×28 ..... 8×12 ..... 12×28 ..... 18×100 ..... 18×70 each ..... 8½×13 each ..... 10×15 each ..... 8×12 .....	Wood ..... Wood ..... Wood ..... Wood ..... Wood ..... Wood ..... Wood ..... Wood ..... Wood ..... Wood ..... Wood ..... Wood ..... Wood ..... Wood ..... Wood ..... Wood ..... Wood .....	Post established in lieu of Fort Belknap, and designed for four companies of cavalry and two companies of infantry. The buildings were erected for temporary occupation, and are not constructed in accordance with the original plans. (Reports of Captain D. W. Porter, A. Q. M., for March, April, and May, 1868.)



## Report of buildings completed and in course of construction, &amp;c.—Continued.

Name and location of post.	Buildings constructed.	Dimensions.	Materials used in construction.	Remarks.
Fort Stockton, on Comanche creek, Presidio county, Texas.	1 quartermaster's storehouse..	18×22.....	Wood.	Post designed for four companies of cavalry. Walls of three stables, one bake-house, one office, and one guard-house completed. The foundations only of the remainder are completed. Foundations of stone, and walls of adobes. (Report of Lieutenant J. L. Humfrville, A. A. Q. M., for April, 1868.)
	4 company stables.....	10×180.....	Wood.	
	4 saddle rooms.....	12×25 each.....	Wood.	
	2 officers' quarters.....	15×18 each.....	Wood.	
	1 officers' mess-room.....	10×15.....	Wood.	
	2 officers' kitchens.....	8×16 each.....	Wood.	
	1 saddle-shop and harness room	14×16.....	Wood.	
	1 addition to store-house.....	8×16.....	Wood.	
	1 laundress' quarters.....	14×16.....	Wood.	
	1 command'g officer's quarters	38×16, 1½ stories.	Wood.	
	1 mess-room and kitchen.....	28×12.....	Wood.	
	1 hospital ward.....	44×20.....	Wood.	
	1 comp'y mess-r'm and kitchen	15×63.....	Wood.	
	2 comp'y mess-r'm and kitchen	13×60 each.....	Wood.	
	3 stables.....	253×25 each.....	Stone and adobes.	
	1 bakehouse.....	27×21.....	Stone and adobes.	
	1 office.....	51×21.....	Stone and adobes.	
	1 guard-house.....	47½×18.....	Stone and adobes.	
	1 command'g officers' quarters	48×21, and wing 18×41.....	Stone and adobes.	
	4 officer's quarters.....	48×21, and wing 18×19½.....	Stone and adobes.	
	8 officers' quarters.....	48×21 each.....	Stone and adobes.	
	2 quarters for enlisted men...	183×27 each.....	Stone and adobes.	
	1 hospital.....	39×40, 2 stories..	Stone and adobes.	
	2 hospital wards.....	49×27 each.....	Stone and adobes.	
	2 storehouses.....	103×27 each.....	Stone and adobes.	
	1 workshop.....	74½×24.....	Stone and adobes.	
Fort Davis, near Limpia creek, Presidio county, Texas.	1 command'g officer's quarters	48×21, and wing 18×41.....	Stone.....	Post designed for six companies of cavalry. (Reports of Brevet Captain J. G. Birney, A. A. Q. M., January and February, 1868.)
	1 officers' quarters.....	48×21, and wing 18×19½.....	Stone.	
	1 officers' quarters.....	48×21.....	Stone.	
	1 officers' quarters.....	48×21.....	Stone.	

*Statement of funds supplied to and disbursed on account of the building and rebuilding of military posts on the northwestern and western frontier of Texas.*

Date.	Name of posts, &c.	Amount.	Total.
	BUFFALO SPRINGS, (before being abandoned.)		
May, 1867, to November, 1867.	For payment of employés .....	\$40,400 38	\$41,769 94
	For purchases of materials, &c .....	1,369 56	
	FORT RICHARDSON, (established in place of Buffalo Springs.)		
December, 1867, to June, 1868.	For payment of employés .....	53,873 34	70,602 34
	For purchases of materials, &c .....	16,729 00	
	FORT BELKNAP, (before being abandoned for Fort Griffin.)		
June, 1867, to September, 1867.	For payment of employés .....	5,634 53	7,081 74
	For purchases of materials, &c .....	1,447 21	
	FORT GRIFFIN.		
October, 1867, to June, 1868.	For payment of employés .....	52,302 34	60,536 68
	For purchases of materials, &c .....	8,234 34	
	FORT CHADBOURNE, (before being abandoned for Fort Concho.)		
June, 1867, to November, 1867.	For payment of employés .....	37,625 75	37,726 76
	For purchases of materials, &c .....	101 01	
	FORT CONCHO.		
December, 1867, to June, 1868.	For payment of employés .....	47,714 80	74,810 47
	For purchases of materials, &c .....	27,095 67	
	FORT STOCKTON.		
June, 1867, to June, 1868.	For payment of employés .....	68,359 17	81,978 26
	For purchases of materials, &c .....	13,619 09	
	FORT DAVIS.		
June, 1867, to June, 1868.	For payment of employés .....	72,309 59	83,108 81
	For purchases of materials, &c .....	10,799 22	
June, 1867, to June, 1868.	For payment of employés chargeable to all posts .....	7,842 59	7,946 39
	For purchases chargeable to all posts .....	103 80	
	Total .....		465,561 39

J. G. LEE, *Bvt. Lieut. Col.* and A. Q. M.

QUARTERMASTER GENERAL'S OFFICE,  
Washington, D. C., October 15, 1868.

GENERAL: I have the honor to submit herewith for your information, as to the operations of the clothing branch of this office during the fiscal year ending June 30, 1868, the following tabular statements:

1. Statement of clothing and equipage not issued to the army and remaining in depot June 30, 1867.

2. Statement of clothing and equipage not issued and remaining in depot June 30, 1868.

3. Statement of damaged, irregular, and unserviceable clothing and equipage sold during the fiscal year ending June 30, 1868.

4. Statement of surplus serviceable clothing and equipage sold during the fiscal year ending June 30, 1868.

5. Statement of surplus serviceable materials sold during the fiscal year ending June 30, 1868.

6. Statement of unserviceable materials sold during the fiscal year ending June 30, 1868.

7. Statement showing an amount received from the sale of clothing and equipage and materials, serviceable and unserviceable, during the fiscal year ending June 30, 1868.

8. Statement of clothing and equipage purchased and manufactured during the fiscal year ending June 30, 1868.

9. Statement of materials purchased during the fiscal year ending June 30, 1868.

10. Statement showing the amount of expenditures on account of clothing and equipage at the principal depots during the fiscal year ending June 30, 1868.

11. Statement showing the quantity of clothing issued gratuitously to national asylums for invalid soldiers, under the act of Congress approved March 22, 1867, during the fiscal year ending June 30, 1868.

12. Statement showing the quantity of clothing and equipage sold to national asylums, under authority of the Secretary of War, during the fiscal year ending June 30, 1868.

13. Statement showing the number of returns and accounts of officers received, examined, and transmitted to the Treasury Department for final settlement, during the fiscal year ending June 30, 1868.

14. Statement of claims for clothing and equipage purchased and seized, received during the fiscal year ending June 30, 1868.

A.—Statement of clothing and equipage issued to the army during the fiscal year ending June 30, 1868.

The operations of the clothing and equipage division of this office have, during the fiscal year ending June 30, 1868, been principally confined to the care and protection of our yet large stock of supplies, the issue and distribution thereof from our central depots at Philadelphia and Jeffersonville to the military posts and depots throughout the country for the use of the army, and the sale of surplus articles.

These supplies, as will be seen by reference to the accompanying statements, are, with the exception of a few minor articles, quite sufficient for the next fiscal year, and no appropriation is considered necessary, as the proceeds of sales of certain of these stores, which have been authorized by the Secretary of War, will be sufficient to cover all necessary expenditures.

During the past fiscal year a new warehouse at the Schuylkill arsenal, provided for by special appropriation by Congress, has been completed and occupied, and all the articles of clothing which, up to the time of its completion, had been stored in temporary structures of wood have been removed to the new building.

Issues as far as practicable are made from the Jeffersonville depot, as at that place there are no permanent buildings for storage purposes, and it seems to be desirable to do away with that depot as soon as possible. In this connection I respectfully refer to my report on this subject made in October last, a copy of which is herewith.

During the past year sales of surplus property to the amount of \$3,934,631 65 have been made under authority from the Secretary of War. The sales were held at New York, Boston, Philadelphia, and other large business centres. The accompanying statement No. 3 shows the number of articles sold, and statement No. 7 the total amount received therefor. The depot at New York has been discontinued, and such articles as were not sold were transferred to the depot at Schuylkill arsenal, Philadelphia. The depot of clothing and equipage at St. Louis has also been discontinued, a portion of the stores sold and the remainder shipped to Fort Leavenworth for storage and issue at that depot. Other minor depots of clothing have likewise been discontinued, and the great bulk of the stock is now stored in our own arsenals and warehouses at comparatively small expense, and with very great saving to the government, on account of rents and the other necessary accompanying expenditures.

The condition of the stores remaining on hand is such as enables us to count upon a sufficiency of good serviceable material for issue for some time to come, and with the exception of a few articles the resumption of manufacture or purchase is still, with the present military force, quite remote.

The amount of expenditures on account of clothing and equipage is \$384,581 41, which includes the items of clerk hire, rent of buildings, hire of laborers employed in repacking and baling clothing, and purchases of material for flags, petroleum, paper, and lumber for boxes, and baling material.

Under the act of Congress approved March 22, 1867, gratuitous issues of clothing have been made to inmates of all the regularly constituted soldiers' homes which came under the provisions of the act. Sales of similar articles have, under the authority of the Secretary of War, also been made to the same institutions. The quantities and amounts in these cases are shown in the accompanying tables.

Claims for clothing and equipage alleged to have been delivered to and used by the army, amounting to \$15,962 87, have been received during the year. Of these, six, amounting to \$950 54, have been referred to the Third Auditor for settlement under the provisions of the act of July 4, 1864; four, amounting to \$3,489 33, have been disallowed, and seven, amounting to \$11,523, are not finally adjusted, but await further evidence.

In addition to the discharge of duties connected with the procurement and distribution of supplies of clothing and equipage, the receipt and examination of officers' returns and accounts, and their transmissions to the Second Auditor's office, have been continued during the year, and with occasional exceptions, arising from the decrease in the clerical force in the office, are kept up to date. The accompanying statement, No. 13, will show the result of the work in this particular, and generally an exact statement of the entire operations of the branch will be found to be more satisfactorily given in the accompanying tables, to which your attention is respectfully invited, than could be in a narrative form.

Very respectfully, your obedient servant.

ALEX. J. PERRY,

*Brevet, Brig. Gen. and Quartermaster U. S. A.*

Brevet Major General M. C. MEIGS,

*Quartermaster General United States Army.*

## Statement of clothing reported on hand at

Articles of clothing.	New York.	Philadelphia.	Jeffersonville.	Washington.	St. Louis.	Fort Leavenworth.	New Orleans.	Fort Monroe.
Uniform coats:								
Engineers' .....	4,519	2,300	1,543	1	157	120	3,770	-----
Ordnance .....	52	967	2	5	-----	131	48	-----
Artillery .....	15,492	35,034	3,560	18,058	461	357	9,697	9,159
Infantry .....	74,342	91,154	148,152	38,918	19,335	5,398	6,865	9,399
Uniform jackets:								
Cavalry .....	49,418	77,764	149,271	19,518	65,717	19,872	19,411	9,625
Artillery .....	8,510	21,487	79,610	36,565	8,532	1,875	7,377	11,256
Infantry .....	-----	-----	691	-----	-----	119	-----	-----
Knit .....	-----	-----	5,376	100	328	-----	-----	-----
Veteran Res'e Corps.	-----	33,904	11,778	4,980	8,451	-----	3,312	1,812
Uniform Trousers:								
Footmen .....	21,672	284,608	423,033	21,919	32,621	12,627	354	17,253
Horsemen .....	37,521	75,226	133,028	18,111	37,841	16,172	1,722	20,353
Cotton duck .....	-----	-----	-----	-----	-----	-----	-----	-----
Dark blue .....	2,559	-----	-----	-----	-----	-----	-----	-----
Overalls .....	4,506	731	6,719	93	8,281	501	2,655	2,659
Drawers:								
Flannel .....	260,296	392,584	573,677	13,835	41,765	36,809	423	16,538
Knit .....	19,806	-----	-----	-----	8,445	-----	1,554	-----
Shirts:								
Flannel .....	80,687	15,332	520,650	544	21,689	7,064	1,045	22,152
Knit .....	128,423	55,231	-----	98,304	84,925	28,564	10,623	37,706
Gray and dark blue.	27,160	375,375	-----	-----	-----	-----	-----	-----
Great-coats:								
Footmen .....	114,371	133,510	281,939	46,590	76,892	10,148	5,524	4,699
Horsemen .....	53,214	67,460	124,199	26,074	58,115	15,890	4,690	3,142
Straps .....	185,886	133,597	278,949	157,289	110,553	40,021	13,112	23,862
Blankets:								
Woolen .....	183,393	156,721	378,569	73,519	60,895	29,018	4,835	33,827
Rubber .....	38,516	110,281	176,502	69,625	53,536	22,837	19,717	7,646
Painted .....	-----	-----	9,000	-----	-----	232	3,469	19,240
Ponchos:								
Rubber .....	14,058	97,969	180,296	43,321	9,681	4,456	8,689	-----
Painted .....	-----	-----	16	-----	-----	-----	-----	-----
Sack coats:								
Lined .....	288,354	152,000	389,475	5,349	27,268	21,049	8,701	7,773
Unlined .....	110,706	260,918	235,177	18,479	68,213	77	20,874	6,871
Knit .....	-----	-----	-----	-----	-----	-----	-----	-----
Bootees:								
Sewed .....	148,101	359,616	615,504	305,198	60,196	16,250	2,211 M. S. 15,399	} 66,138
Pegged .....	68,455	-----	-----	-----	-----	-----	20,876	
Boots:								
Sewed .....	62,333	119,814	75,509	20,195	34,457	17,953	2,502 M. S. 5,723	} 41,297
Pegged .....	31,835	3,027	-----	-----	-----	-----	3,648	
Leggings or gaiters .....	2,807	-----	-----	6,218	-----	-----	2,537	-----
Stockings .....	480,360	389,257	454,051	1,787	46,522	23,626	8,191	29,902
Stocks, leather .....	181,128	46,760	93,756	20,179	21,356	19,168	3,107	23,850
Uniform hats .....	59,852	53,494	190,128	41,199	120,219	27,644	8,667	4,042
Uniform caps .....	18	59	-----	-----	20	140	1,234	359
Forage caps .....	216,160	135,472	429,816	53,753	88,788	25,221	2,836	10,919
Cap covers .....	4,517	37,990	79,301	-----	15,751	-----	-----	1,000
Stable frocks .....	58,549	6,071	33,676	3,373	10,843	9,618	1,072	1,305
Sashes .....	6,444	873	4,047	74	1,363	227	965	681
Knapsacks:								
Painted .....	280,279	153,026	358,030	66,065	86,951	15,094	-----	4,583
Patent, rubber, &c.	11,203	-----	541	-----	-----	411	800	-----
Haversacks:								
Painted .....	110,764	7,614	181,519	2,646	106,850	16,229	7,087	25,509
Patent, rubber, &c.	236	10,122	-----	-----	-----	-----	800	-----
Canteens .....	256,136	129,282	345,993	22,408	119,737	10,252	26,871	27,505
Patent, &c .....	-----	-----	1,252	-----	-----	-----	800	-----
Brogans .....	17,000	-----	-----	-----	-----	-----	5,955	-----
Buffalo overshoes .....	-----	-----	-----	-----	-----	-----	-----	-----
Mittens, wool, and gloves	-----	-----	36,568	-----	3,242	-----	-----	1,301

Respectfully submitted.

QUARTERMASTER GENERAL'S OFFICE, October 15, 1868.

*the various clothing depots, June 30, 1867.*

San Francisco.	Fort Snelling.	Boston.	Newbern.	Vicksburg.	Charleston.	Savannah.	Pittsburg.	Chattanooga.	Little Rock.	Baltimore.	Buffalo.	Total on hand.
37												12,447
69	4	14			40							1,335
		1,373			102							93,981
6,121	2,650	2,101	413	2,258	2,244	861	268	613	845	1,087	2	413,026
475	1,952	646	640	458	869				2,463	145		418,544
	133	1,001		254	2,165		300		1,836	822		181,621
							198					810
									101			5,905
		3								122		64,362
289	5,316	1,837	582	2,746	2,258	531	162	395	1,334	150	22	830,709
2,156	1,355	1,594	217	580	1,281	62	235		3,794	692	45	351,965
												2,559
4,619	48			2	321				100			31,235
34	14,780	5,429	996	1,980	9,425	1,251	1,183	492	1,379	13	156	1,373,045
	800					15						30,620
4,231	13,144	6,018	4,899	2,564	8,661	1,389	335	864	2,069	9	400	713,686
243	998	2,827			6,606				573			455,023
												402,535
730	1,542	3,437	573	2,229	1,142	189	680	455	2,033	973	47	687,739
412	1,636	725	444	2,582	319	50	698	114	3,498	603	8	363,873
8,121	1,134	7,673	230	3,878	5,225	184	2,000		7,974		40	979,728
2,696	4,101	2,332	132	2,255	4,432	217	762	296	717	133	68	958,978
4,366	1,973	571	447	2,878	2,377	90			436	1,084		512,882
			20	250								32,211
1,478	632	330	127	4,196	5	50		16	165	1,365		366,834
	812											828
1,493	4,404	2,170	372	1,964	3,370	1,055	43	75	1,712	615	30	917,272
5,583	2,817	498	11	2,460	6,596	630	1,270	307	2,409	787		744,613
	573											573
1,699	7,109	7,833	4,952	1,740	7,559	660	599	281	1,524	294	146	1,623,279
				827	700							90,858
150	4,718	218		646		19	1,287	490	523	477	100	388,411
				1,716								40,226
5,658						3,080						20,320
1,027	12,831	6,708	7,215	1,967	26,768		1,765	896	1,952	396	169	1,495,390
8,634	3,686	1,640	171		2,158	45			800	412		426,868
6,540	4,463	1,212	537	4,294	2,224	954	576	451	1,240	1,439		529,175
113												1,943
1,871	2,936	7,454	1,012	4,279	6,466	1,372	409	692	1,293	486		991,235
9,770	1,358	2,293	2,293				1,500		16			153,496
224	200			400	370				400			125,701
236	41	89	36	51	189	20		1	571			15,908
4,147	1,227	3,491	78	3,848	946	53	1,344	176	889	442	169	980,838
												12,955
2,823	2,591	3,280	213		3,544	321	1,194	283	900		130	542,047
												11,158
1,379	3,463	3,913	120	3,864	3,174	283	1,396	145	844	976	112	957,853
												2,052
												22,955
	627											627
	1,599						3					42,713

ALEX. J. PERRY,  
Brevet Brig. Gen. and Quartermaster U. S. Army.

## Statement of camp and garrison equipage reported

Articles of equipage.	New York.	Philadelphia.	Jeffersonville.	Washington.	St. Louis.	Fort Leavenworth.	New Orleans.	Fort Monroe.
<b>Tents:</b>								
Hospital.....	207	2,209	3,293	505	507	104	12	344
Wall.....	30,203	2,670	3,081	936	101	193	50	40
Common.....	5,011	5,641	1,278	9,883	1,349	1,151	189	336
Shelter or D'Abri.....	103,692	201,553	232,154	33,578	106,566	18,876	34,303	11,543
Miscellaneous.....	M. 3	S. 1	{ B. 699 S. 3	.....	{ S. 1 P. 1	{ S. 17	.....	.....
Tent stoves.....	2,698	.....	841	3,569	.....	235	10	196
<b>Bed sacks:</b>								
Single.....	28,416	2,697	3,599	8,581	5,363	9,638	626	967
Double.....	168	10,437	3,962	4,149	3,980	5,020	417	803
<b>Mosquito bars:</b>								
Single.....	15,396	4,492	2,951	.....	3,425	355	2,081	435
Double.....	.....	.....	.....	.....	.....	.....	.....	.....
<b>Colors:</b>								
Regimental.....	283	117	337	5	133	16	12	3
National.....	203	101	278	624	86	21	6	1
Camp.....	3,362	629	1,762	.....	506	30	144	133
Standards.....	53	116	640	34	45	3	5	5
<b>Flags:</b>								
Storm.....	6	.....	.....	17	15	37	5	1
Garrison.....	20	.....	.....	13	33	5	6	3
Recruiting.....	959	274	260	.....	46	28	46	13
Ambulance and guidon.....	628	1,107	2,219	349	125	200	74	156
General hospital.....	96	74	149	48	30	18	8	12
Post and field.....	91	283	284	191	72	30	198	30
Signal.....	.....	.....	.....	11	.....	.....	7	.....
Designating.....	3	.....	48	127	.....	.....	.....	.....
<b>Guidons</b> .....	170	410	411	46	528	294	29	16
Camp kettles.....	26,915	32,014	60,301	6,641	10,658	3,921	1,555	1,900
Iron pots.....	251	149	.....	102	350	1	14	38
Mess pans.....	66,752	102,160	176,256	33,267	54,072	11,670	26,175	12,546
Pickaxes.....	13,308	10,073	13,443	4,922	22,431	1,855	4,209	6,637
Axes.....	17,522	20,084	13,519	4,675	8,796	4,991	316	10,867
Hatchets.....	33,717	18,384	28,605	4,778	15,840	2,562	472	5,645
Spades.....	10,041	11,587	26,528	2,292	26,253	2,319	2,598	4,392
Shovels.....	1,880	9,546	19,063	3,444	8,202	1,871	143	6,193
Bugles.....	168	729	574	141	1,020	179	3	74
Trumpets.....	424	901	983	247	771	155	13	42
Drums.....	919	1,769	1,561	14	674	57	13	9
Fifes.....	3,347	2,499	3,138	924	1,811	125	76	805
<b>Books:</b>								
Company order.....	1,928	1,430	5,381	269	1,177	185	225	290
Comp'y clothing account.....	1,983	920	5,096	351	1,260	164	631	318
Company descriptive.....	1,998	1,095	5,608	342	1,103	230	539	300
Company morning report.....	2,696	1,196	5,721	473	1,249	164	640	341
Post order.....	950	3,059	939	195	76	83	411	101
Post morning report.....	834	3,566	1,040	274	71	73	350	98
Post letter.....	830	3,074	1,306	185	76	101	432	87
Post guard report.....	499	2,216	408	123	61	353	388	143
Regimental general order.....	544	386	597	151	125	50	24	214
Regimental letter.....	164	232	633	307	125	63	85	105
Regimental descriptive.....	198	351	1,051	199	219	75	56	144
Regimental index.....	451	578	728	239	106	83	62	115
Regimental order.....	189	691	440	279	132	71	2	129
Brigade letter.....	29	102	16	.....	17	.....	.....	32
Brigade letter received.....	31	90	.....	.....	16	.....	.....	25
Brigade order.....	6	43	.....	.....	12	.....	.....	41
Brigade mem. and endm't.....	21	31	2	.....	14	.....	.....	18
Brigade field order.....	.....	.....	.....	.....	.....	.....	.....	50
Brigade general order.....	.....	.....	.....	.....	13	.....	.....	.....
Target practice.....	1,896	123	311	69	73	51	33	.....
Consolidated morn'g rep't.....	7	.....	.....	1	.....	.....	.....	.....
Inspection report.....	.....	41	7	.....	.....	.....	.....	.....

Respectfully submitted:

QUARTERMASTER GENERAL'S OFFICE, October 15, 1868.

on hand at the various clothing depots, June 30, 1867.

San Francisco.	Fort Snelling.	Boston.	Newbern.	Vicksburg.	Charleston.	Savannah.	Pittsburg.	Chattanooga.	Little Rock.	Baltimore.	Buffalo.	Total on hand.
24	30	.....	6	46	6	110	1	.....	11	.....	.....	7,415
162	150	9	20	45	38	12	3	.....	127	.....	.....	10,660
2,600	574	.....	71	128	1,792	2	.....	.....	98	.....	.....	30,103
3,659	234	128	388	2,640	4,000	.....	.....	.....	297	.....	.....	753,411
P. 216	B. 7	.....	.....	115	.....	.....	.....	.....	B. 26	.....	.....	1,089
5	.....	.....	.....	.....	.....	.....	.....	.....	1	.....	.....	8,555
4,434	.....	751	732	426	604	361	50	81	900	10	144	68,380
649	222	658	.....	100	500	100	9	.....	300	5	123	31,602
768	.....	.....	.....	7,442	9,075	1,230	.....	.....	25	10	.....	47,685
6	.....	10	.....	24	.....	.....	1	2	25	.....	.....	974
6	.....	3	.....	13	.....	.....	2	2	5	1	.....	1,352
260	34	55	10	17	5	.....	.....	.....	29	.....	.....	6,976
1	.....	1	.....	3	.....	.....	.....	.....	17	.....	.....	923
18	20	8	1	2	11	3	1	3	.....	.....	1	149
50	10	9	.....	3	5	1	.....	1	3	1	1	164
79	4	5	1	.....	.....	3	.....	.....	8	.....	3	1,729
.....	.....	.....	100	.....	.....	.....	.....	.....	.....	.....	.....	4,958
.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	435
.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1,179
.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	18
.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	178
92	.....	31	4	22	7	.....	.....	1	256	.....	.....	2,317
442	895	204	192	451	1,095	289	172	22	251	.....	13	147,931
130	.....	.....	47	.....	.....	.....	.....	.....	11	.....	.....	1,093
1,998	638	428	345	701	4,540	215	581	44	253	.....	7	492,648
929	608	214	89	159	342	59	30	.....	153	.....	.....	79,463
710	27	409	165	161	329	41	53	5	148	8	8	82,924
1,256	476	306	1	.....	575	73	42	71	270	133	.....	113,206
822	284	85	256	125	614	23	50	.....	253	.....	.....	88,522
1	.....	203	.....	142	600	84	.....	.....	166	.....	1	51,646
3	29	49	4	35	168	8	4	5	255	.....	.....	3,448
66	64	15	4	.....	35	.....	3	.....	411	.....	.....	4,134
107	9	22	7	7	64	9	3	.....	70	1	1	5,286
140	11	24	9	72	277	10	5	4	268	.....	.....	13,545
195	2	35	36	149	87	43	.....	5	141	.....	.....	11,578
120	12	44	48	189	121	85	.....	1	140	.....	.....	11,413
146	.....	26	83	152	109	55	.....	12	106	1	.....	11,905
177	.....	30	78	170	84	83	.....	9	133	64	.....	13,308
204	5	56	11	.....	45	.....	.....	.....	35	.....	1	6,171
153	5	62	20	.....	48	.....	.....	.....	32	.....	3	6,629
192	3	66	10	.....	47	4	.....	.....	67	.....	1	6,501
76	4	42	11	.....	116	9	.....	.....	51	.....	.....	4,500
.....	1	5	15	.....	21	1	.....	.....	22	.....	1	2,156
47	4	6	7	54	18	6	.....	.....	35	.....	.....	1,891
47	.....	5	6	75	56	2	.....	3	76	.....	.....	2,563
50	4	7	7	80	44	4	.....	.....	77	.....	.....	2,635
42	.....	4	9	54	11	3	.....	.....	55	.....	.....	2,111
.....	.....	.....	.....	.....	12	.....	.....	.....	.....	.....	.....	208
.....	.....	.....	.....	.....	11	.....	.....	.....	.....	.....	.....	173
.....	.....	.....	.....	.....	20	.....	.....	.....	.....	.....	.....	122
.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	83
.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	50
.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	27
116	5	.....	.....	14	62	2	.....	.....	.....	.....	.....	2,741
.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	8
.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	48

ALEX. J. PERRY,  
Brevet Brig. Genl. and Quartermaster U. S. Army.



Statement of clothing reported on hand at the various clothing depots June 30, 1868.

Articles of clothing.	Philadelphia.	Jeffersonville.	Washington.	Fort Leavenworth.	New Orleans.	Fort Monroe.	Fort Snelling.	Vicksburg.	Charleston.	Savannah.	Little Rock.	San Francisco, May 31, 1868.	Total on hand.
<b>Uniform coats:</b>													
Engineers' .....	5,591	1,154	1	277								25	7,048
Ordnance .....	243	209	5	108	42		15		82			22	726
Artillery .....	44,849	3,043	5,623	357	9,442	8,958			60			269	72,601
Infantry .....	186,139	106,370	4,473	17,644	6,601	8,536	4,572	1,250	2,445	598	2,156	5,341	346,125
<b>Uniform jackets:</b>													
Cavalry .....	75,388	140,024	18,163	43,274	19,975	9,515	2,247		717		773	3,293	313,369
Artillery .....	21,771	73,003	36,271	5,281	6,870	11,142	164	254	2,011		1,610	1,571	159,948
Infantry .....				119				238					357
Veteran Reserve Corps .....	34,286												34,286
<b>Uniform trousers:</b>													
Footmen .....	238,634	296,035	6,136	7,550	3,719	10,642	5,915	1,485	1,002	153	12	4,724	576,007
Horsemen .....	73,851	114,463	3,398	25,385	1,718	19,381	1,588	252	649	62	2,785	1,809	245,341
Overalls .....	833	6,206		1,581	1,860	659	54	2	321		529	2,490	14,535
<b>Drawers:</b>													
Flannel .....	588,258	520,372	4,064	35,974	10,034	8,180	17,931	963	5,507	263	1,010	5,451	1,198,007
Knit .....									5,866			1	5,867
<b>Shirts:</b>													
Flannel .....	6,150	434,393	2,960	19,745	4,913	16,763	11,850		6,810	449	2,197	3,923	510,153
Knit .....	50,728		97,082	17,493	9,025	36,671	1,793				535		213,332
Gray, &c. ....	408,067												408,067
<b>Greatcoats:</b>													
Footmen .....	130,996	214,646	44,171	10,205	4,048	3,566	2,555	2,549	415	344	2,057	2,868	418,420
Horsemen .....	89,178	76,630	2,626	13,543	3,936	3,035	1,846	613	196	50	835	2,310	194,798
Straps .....	261,193	263,660	5,557	139,109	12,288	23,227	5,073	1,517	3,713	995	4,201	6,451	734,984
<b>Blankets:</b>													
Woollen .....	145,233	187,752	52,495	24,627	2,690	28,381	5,255	1,471	3,333	489	1,225	3,527	455,878
Rubber .....	174,238	174,042		47,004	20,618	7,594	3,056	2,396		90	425	5,156	434,579
Rubber and painted .....			906						2,665				3,571
Painted .....		3,186		233	1,969	5,100		250			200		10,938
<b>Ponchos:</b>													
Rubber .....	137,479		313	9,391	8,265			1,578	354	50	793	2,171	160,391
Rubber and painted .....													1,311
Painted .....		179,651					1,311						179,651
<b>Sack coats:</b>													
Lined .....	235,696	332,149	2,033	22,865	4,321	3,318	4,455	508	1,089	798	480	266	607,978
Unlined .....	263,905	161,917	4,427	1,229	14,204	5,800	4,876	2,158	4,397	910	1,022	3,037	467,943
Knit .....							573						573



Statement of camp and garrison equipage reported on hand at the various clothing depots June 30, 1868.

Articles of equipage.	Philadelphia.	Jeffersonville.	Washington.	Fort Leavenworth.	New Orleans.	Fort Monroe.	Fort Snelling.	Vicksburg.	Charleston.	Savannah.	Little Rock.	San Francisco, May 31, 1868.	Total on hand.
<b>Tents:</b>													
Hospital .....	2,451	3,191	45	562	{ P. 50 } 79	360	31	16	20	101	79	.....	6,985
Wall .....	5,510	1,865	11	226	105	341	147	133	104	32	142	35	8,651
Common .....	13,115	716	172	1,282	279	996	732	74	1,780	50	33	2,081	21,310
Shelter, or D'Abri .....	334,662	336,280	.....	16,246	34,563	11,663	850	2,655	3,916	64	297	506	741,642
Miscellaneous .....	S. 1	S. 3, B. 458	.....	S. 41, F. 1	.....	I. 8	S. 1	B. 142	.....	.....	B. 1	P. 193	849
Tent stoves .....	.....	758	.....	112	33	523	1	.....	.....	.....	.....	.....	1,427
<b>Bed sacks:</b>													
Single .....	12,656	9,712	300	8,696	2,153	1,740	500	212	63	361	610	5,030	42,033
Double .....	774	367	2,400	8,912	1,327	1,929	1,268	602	196	208	240	3,848	22,071
<b>Mosquito bars:</b>													
Single .....	29	430	.....	2,926	4,120	372	243	.....	875	1,135	.....	105	10,235
Not standard .....	5,384	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	5,384
Double .....	131	7	.....	.....	602	.....	725	.....	.....	.....	.....	.....	1,465
<b>Colors:</b>													
Regimental .....	406	464	3	7	3	.....	.....	12	.....	.....	27	6	931
National .....	302	355	.....	4	6	.....	.....	4	.....	.....	6	5	682
Camp .....	4,560	1,941	59	226	138	133	30	.....	10	.....	33	287	7,417
Standards .....	2,2	685	3	1	5	5	.....	7	3	.....	.....	2	913
<b>Flags:</b>													
Storm .....	159	32	10	18	31	1	21	8	17	3	3	4	307
Garrison .....	168	21	4	21	6	4	8	6	22	2	2	16	280
Recruiting .....	1,156	232	.....	72	36	12	4	.....	.....	2	30	46	1,590
Ambulance and guidon .....	2,084	2,219	.....	325	74	156	.....	.....	100	5	.....	.....	4,963
General hospital .....	224	149	10	48	8	12	.....	.....	.....	3	.....	1	455
Post and field .....	549	284	16	102	198	30	.....	.....	.....	.....	.....	.....	1,179
Signal .....	.....	.....	.....	.....	7	.....	.....	.....	.....	.....	1	3	11
Designating .....	3	48	127	.....	2	.....	.....	.....	.....	.....	.....	.....	180
<b>Guidons</b> .....	602	927	18	.....	5	12	.....	.....	5	.....	17	91	1,677
Camp kettles .....	30,621	60,015	248	11,873	841	1,749	584	313	779	174	241	75	107,513
<b>Iron pots</b> .....	100	.....	.....	365	69	32	.....	.....	.....	.....	10	88	664
Mess pans .....	100,031	178,933	1,184	62,734	25,767	12,503	734	641	4,314	167	444	1,001	388,473
<b>Pickaxes</b> .....	8,929	14,101	783	3,938	3,968	6,780	925	123	295	61	147	496	40,545
helves .....	26,797	15,529	3,024	1,763	3,204	5,827	900	77	746	43	213	2,029	60,152
<b>Axes</b> .....	17,667	13,204	4,497	11,043	82	10,242	142	194	130	58	552	4	57,815
helves .....	11,054	2,003	0,007	10,264	38	9,866	308	200	2,387	69	860	134	43,190
<b>Hatchets</b> .....	46,722	28,973	4,691	17,409	2,079	5,384	381	165	491	77	238	585	107,195

M 96	belves.....	26, 498	52, 713	10, 080	16, 387	666	10, 743	614	211	678	24	485	143	119, 312
	Spades.....	10, 337	26, 666	2, 231	27, 950	2, 194	4, 276	455	176	523	17	96	89	75, 010
	Shovels.....	8, 492	20, 498	3, 425	9, 125	568	6, 193	204	526	78	323	1	49, 433	
	Bugles.....	937	480	28	1, 107	20	63	20	9	149	6	193	92	3, 104
	Trumpets.....	1, 615	946	28	804	29	16	62	6	24	2	97	39	3, 666
	Drums.....	2, 508	1, 786	16	324	30	20	12	37	2	20	70	4, 825	
	Fifes.....	6, 598	2, 975	68	1, 876	80	773	53	248	14	254	259	13, 198	
	Tent files:													
	Hospital.....	2, 018	2, 887	48	570	77	310	30	28	21	101	79	2	6, 171
	Wall.....	5, 741	1, 991	16	290	148	121	147	129	106	32	152	12	8, 885
	Books:													
	Company order.....	3, 455	5, 264	45	1, 260	197	245	4	131	66	33	115	143	10, 958
	clothing account.....	3, 137	4, 943	38	1, 335	619	285	50	189	111	84	67	52	10, 910
	descriptive.....	3, 315	5, 481	34	1, 264	528	265	48	152	94	55	100	93	11, 429
	morning report.....	4, 202	5, 598	78	1, 309	594	305	15	165	70	18	134	134	12, 622
	Post order.....	4, 028	754	90	204	405	75	30	39	40	27	182	5, 834	
	morning report.....	4, 510	846	72	183	335	80	28	9	29	2	55	160	6, 110
	letter.....	3, 894	1, 124	79	248	424	65	30	87	3	8	52	4, 003	
	guard report.....	2, 640	206	94	435	331	107	36	4	21	1	24	38	2, 063
	Regimental general order.....	1, 068	559	9	104	15	216	9	42	18	6	34	43	1, 621
letter.....	587	583	24	103	77	95	9	56	2	72	41	2, 485		
descriptive.....	734	1, 013	18	276	54	140	5	74	56	4	76	47	2, 497	
index.....	1, 217	683	8	177	59	103	9	70	44	8	3	67	4	
order.....	1, 237	400	10	172	42	119	6	53	11	4	3	197		
Brigade letter.....	124	14		16		28			11	3		149		
letter received.....	94			17		24			11			109		
order.....	47			9		33			20			67		
mem. and end.....	43			11		11				2		48		
field order.....						48						13		
general order.....				13								2, 586		
Target practice.....	2, 017	256	7	94	30			5		62	2		1	
Consolidated morning report.....			1										48	
Inspection report.....	41	7											1	
Tent poles:														
Hospital.....	1, 942	2, 916	80	679	37	655	31	21	40	101	87		6, 589	
Wall.....	7, 236	3, 618	43	283	16	36	119	133	123	34	146		11, 787	
Shelter.....	7, 426	18, 748		62, 935	16, 981		1, 200	3, 727					111, 017	
Common.....	9, 192	160	253	1, 512	278	3, 901	626	96	93		69	21	16, 201	
Miscellaneous.....		503		159	55	43	1	143				27	931	
Tent pins:														
Hospital, large and small.....	283, 977		2, 163	62, 673	14, 630	13, 335	1, 774		1, 513	4, 034			384, 099	
Wall.....	189, 866	264, 856	820	5, 988	8, 180	4, 114	348	3, 904	1, 729	344	2, 632	732	483, 513	
Common.....	266, 753	577, 357	4, 664	22, 947		26, 965	11, 218	11, 480	6, 876	1, 498	4, 289	16, 574	950, 621	
Shelter.....	766				700		200						1, 666	

Respectfully submitted:

QUARTERMASTER GENERAL'S OFFICE, October 15, 1868.

ALEX. J. PERRY,  
Brevet Brig. General and Quartermaster U. S. Army.

*Statement of unserviceable, damaged and irregular clothing and camp and garrison equipage sold during the fiscal year ending June 30, 1868.*

94 axes.	65 drum-heads, snare.
73 axe-handles.	55 drum-slings.
5 axe-slings.	145 drumsticks, pairs.
70 axes, pick.	110 drumstick carriages, pairs.
75 axe-handles, pick.	45 drum cords.
1 axe-sling, pick.	87 sets snares.
15,706 badges, quartermasters' department.	270 eagles, hat and cap.
1,252 bedsacks, double.	22 fifes.
2,147 bedsacks, single.	1 flag, quartermasters' department.
197,261 blankets, woollen.	14 flags, post and field hospital.
522 blankets, rubber.	32 flags, general hospital.
408 boots, pairs, sewed.	6 flags, engineer.
295 boots, pairs, pegged.	119 flags, cavalry.
27,755 bootees, pairs, sewed.	150 flags, recruiting.
2 bootees, pairs, pegged.	283 flags, storm.
23,170 bootees, pairs, machine-sewed.	35 flags, designating.
3,800 bootees, pairs, rubber-soled.	173 flags, ambulance.
1 book, company clothing account.	35 flag-halliards.
1 book, company descriptive.	91 flagstaves.
64 books, company morning report.	16 frocks, stable.
2 books, company order.	159 guidons.
3 books, brigadier general's order.	768 hats, uniform.
4 books, post guard report.	1,600 hats, straw.
4 books, post order.	88 hatchets.
44,386 brogans, pairs.	358 hatchet-handles.
61 bugles.	1,637 haversacks.
1,329 bugles, hat and cap.	7,894 haversacks, enamelled, &c.
1 bunting, national.	701 jackets, infantry.
28,115 boxes, packing.	6,291 jackets, artillery.
1,449 caps, forage, French.	11,723 jackets, cavalry.
6,946 caps, forage.	12,384 jackets, Veteran Reserve Corps.
55,661 cap covers.	5,527 jackets, knit.
19 caps, zouave.	1,149 jackets, zouave.
492 camp kettles.	1,288 jackets, irregular.
6,744 canteens.	1,452 knapsacks.
35 canteen straps.	11,546 knapsacks, enamelled pattern, &c.
1 chevron, pair, sergeants'.	659 knapsack straps.
78½ chevrons, pairs, irregular.	13 leggings, linen, pairs.
157 chevrons, pairs, assorted.	1,622 letters, hat and cap.
1,172 coats, uniform, artillery.	230 mess-pans,
19,509 coats, uniform, infantry.	167 mess-cans.
26 coats, uniform, ordnance.	929 mittens, pairs.
537 coats, uniform, engineers'.	159 mosquito bars.
11,325 coats, uniform, irregular.	1,261 numbers, hat and cap.
24,113 coats, flannel sack, lined.	50 overalls.
63,821 coats, flannel sack, unlined.	2,491 ponchos.
62,567 coats, great, footmen.	138 pots, iron.
45,217 coats, great, mounted.	1,567 plumes.
2,202 coats, great, irregular.	59 sashes.
1,344 coats, great, straps.	5 sashes, zouave.
23 colors, national.	1,813 scales, metallic, sergeants', pairs.
41 colors, regimental.	1,549½ scales, metallic, privates', pairs.
15 color belts, and sockets.	9 scales, brass, sergeants', pairs.
197 color staffs, camp.	147 scales, brass, privates', pairs.
369 cords and tassels, hat.	16,753 shirts, flannel.
1 cord and tassel, trumpet.	130 shirts, knit.
104 cords and tassels, bugle.	12 shirts, zouave.
7,002 cord, tent, pounds.	1,742 shirts, dark blue.
3,000 cord, tent, feet.	25,418 shirts, gray.
241 crossed-cannon, hat and cap.	34 shovels.
33 crosse l-sabres, hat and cap.	37 spades.
873 drawers, flannel, pairs.	12 spade-slings.
62 drawers, knit, pairs.	417 stocks, leather.
102 drums, complete.	160 stoves, tent.
68 drum-heads, batter.	3,729 stoves, Sibley tent.

8, 846 joints stove-pipe.  
 23, 639 stockings, pairs.  
     1 talma.  
     193 tents, hospital.  
 18, 461 tents, hospital, pounds.  
     107 tents, wall.  
 13, 541 tents, wall, pounds.  
     107 tents, Sibley.  
     884½ tents, Sibley, pounds.  
     63½ tents, shelter.  
 10, 921 tents, shelter, pounds.  
     665 tents, common.  
     6, 859 tents, common, pounds.  
         3 tents, marquee.  
 18, 443 tents, canvas, pounds.  
     97 sets tent poles, hospital.  
     535 sets tent poles, wall.  
     1, 590 sets tent poles, Sibley.  
     124 sets tent poles, shelter.  
 9, 002 sets tent poles, common.  
     12 sets tent poles, bell.  
     242 tent flies, hospital.  
     163 tent flies, wall.

2, 274 tent pins, hospital, large.  
 2, 651 tent pins, hospital, small.  
 9, 271 tent pins, wall, large.  
 2, 965 tent pins, wall, small.  
 1, 961 tent pins, common.  
     176 sets tent pins, large.  
     249 sets tent pins, small.  
     659 tent stools, Sibley.  
     130 tent chairs, Sibley.  
 23, 585 tent tips and bases, shelter.  
 13, 100 tent slips.  
     644 tripods, Sibley tents.  
 93, 762 trousers, footmen, pairs.  
     8, 378 trousers, mounted, pairs.  
         34 trousers, zouave, pairs.  
         68 trousers, dark blue, pairs.  
 2, 559 trousers, irregular, pairs.  
     19 trumpets.  
         5 trumpet crooks.  
 1, 482 trumpets, hat and cap.  
     28 turbans, zouave.  
     287 vests, zouave.

Respectfully submitted:

ALEX. J. PERRY,

*Brevet Brigadier General and Quartermaster U. S. Army.*

QUARTERMASTER GENERAL'S OFFICE,

October 15, 1868.

*Statement of surplus serviceable clothing and camp and garrison equipage sold during the fiscal year ending June 30, 1868.*

17, 302 axes.  
     6, 503 axe handles.  
 24, 475 axe slings.  
 37, 230 axes, pick.  
 39, 393 axe, pick, handles.  
     1, 961 axe, pick, slings.  
     309 bedsacks, single.  
 219, 873 blankets, wool.  
 63, 246 blankets, rubber.  
     1, 022 blankets, water-proof.  
     3, 841 boots, sewed, pairs.  
 32, 283 boots, pegged, pairs.  
 35, 018 boots, machine sewed, pairs.  
 55, 876 bootees, sewed, pairs.  
 67, 355 bootees, pegged, pairs.  
 323, 364 bootees, machine sewed, pairs.  
     44 books, company clothing account.  
     29 books, company morning report.  
     35 books, company order.  
     29 books, regimental descriptive.  
         6 books, regimental letter.  
         5 books, regimental order.  
     23 books, post guard.  
     65 books, post letter.  
     62 books, post morning report.  
     55 books, post order.  
 280, 488 bugles, hat and cap.  
 33, 284 camp kettles.  
 307, 589 caps, forage.  
     369 cap covers.  
 56, 124 canteens.  
     66 caduceus, pairs.

7, 426 castles, hat and cap.  
     32 chevrons, pairs, sergeant major.  
     3 chevrons, pairs, quarterm'r serg't.  
 10, 208 chevrons, pairs, first sergeant.  
 13, 427½ chevrons, pairs, sergeant.  
 16, 170 chevrons, pairs, corporal.  
     2, 296 chevrons, pairs, assorted.  
     4, 262 coats, uniform, engineers'.  
 17, 456 coats, uniform, artillery.  
     15 coats, uniform, ordnance.  
     13, 045 coats, uniform, infantry.  
 178, 696 coats, great, footmen.  
 110, 890 coats, great, mounted.  
 193, 935 coats, great, straps.  
 208, 138 coats, flannel sack, lined.  
 179, 287 coats, flannel sack, unlined.  
 432, 808 cords and tassels, hat, assorted.  
     103 cords and tassels, bugle.  
     44, 298 crossed cannons, hat and cap.  
 505, 156 crossed sabres, hat and cap.  
     6, 548 drawers, flannel.  
     26, 694 drawers, knit.  
     7, 064 drawers, domet.  
 228, 521 eagles, hat and cap.  
 119, 452 feathers, hat.  
     64, 491 frocks, stable.  
 145, 681 hats, uniform.  
     2, 413 hatchets.  
     25, 346 hatchet handles.  
     19, 898 hatchet slings.  
 158, 056 haversacks.  
     95, 005 jackets, cavalry.

13,012 jackets, artillery.	14,353 shirts, flannel.
26,461 jackets, Veteran Reserve Corps.	139,590 shirts, knit.
328 jackets, knit.	4,133 shells and flame, hat and cap.
392,177 knapsacks.	9,638 spades.
4,000 knapsack straps.	1,980 spade slings.
3,357½ leggings, pairs, leather.	5,980 stockings, pairs.
2,339 leggings, pairs, linen.	214,932 stocks, leather.
1,399,908 letters, hat and cap.	2,806 stoves, tent.
98,778 mess pans.	29,597 trousers, foot.
10,000 mosquito bars.	57,780 trousers, mounted.
2,074,989 numbers, hat and cap.	1,547 tent poles, sets, hospital.
11,333 overalls, pairs	1,561 tent poles, sets, wall.
16,186 ponchos, rubber.	35,894 tent poles, sets, common.
51 pots, iron.	75,136 tent pins, hospital.
4,491½ pairs metallic scales, sergeant.	24,345 tent pins, sets, hospital.
66,211½ pairs metallic scales, corporal.	38,657 tent pins, wall.
6,419½ pairs metallic scales, assorted.	3,427 tent pins, sets, wall.
1,542 pairs metallic slides.	456,936 tent pins, common.
1,866 shovels.	486 wreaths, hat.

Respectfully submitted:

ALEX. J. PERRY,

*Brevet Brigadier General and Quartermaster U. S. Army.*

QUARTERMASTER GENERAL'S OFFICE, October 15, 1868.

*Statement of unserviceable material sold during the fiscal year ending June 30, 1868.*

25,000 buttons, tent.	9,551 lace, yards, assorted.
2,595 burlaps, pounds.	968 muslin, yards, ¼.
7½ cloth facing, yards, sky blue.	5,495 rope, pounds.
10,107 cuttings, pounds, assorted.	22 spools thread, linen.
3½ flannel, yards, cotton and wool.	

Respectfully submitted:

ALEX. J. PERRY,

*Brevet Brigadier General and Quartermaster U. S. Army.*

QUARTERMASTER GENERAL'S OFFICE, October 15, 1868.

*Statement of surplus serviceable materials sold during the fiscal year ending June 30, 1868.*

799½ yards alpaca.	500 yards lace, yellow silk, ½-inch.
750 gross buttons, vest.	4,236 yards lace, sky blue, ½-inch.
5,788 gross buttons, suspender.	4,911 yards lace worsted, sky blue, 1½-inch.
5,429 gross buttons, shirt and fly.	570 yards lace worsted, sky blue, ¾-inch.
2,907 gross buckles.	9,082 yards lace worsted, sky blue, ¾-inch.
270 yards buckram.	166,429½ yards lace worsted, dark blue, 1½-in.
216 yards corded green worsted.	35,372½ yards lace worsted, dark blue, 1½-inch.
40,372½ yards cloth, dark blue, ¾.	22,112 yards lace worsted, yellow, 1½-inch.
17,404½ yards cloth, dark blue, ¾.	250,000 yards lace worsted, yellow, ¾-inch.
136½ yards cloth facing, sky blue, ¾.	14,930 yards lace worsted, yellow, ¾-inch.
18½ yards cloth facing, scarlet, ¾.	1,252 yards lace worsted, crimson, 1½-inch.
41,678 yards canvas padding.	90 yards lace worsted, crimson, ¾-inch.
29,939½ yards corset jeans.	70 yards lace worsted, orange, ¾-inch.
217 boxes crayons, tailors'.	17,326 yards lace worsted, red, 1½-inch.
11,980½ yards drilling, cotton.	100,400 yards lace worsted, red, ¾-inch.
24,352 yards flannel, cotton and wool.	17,819 yards lace worsted, red, ¾-inch.
419 yards flannel, blue.	85½ yards lace worsted, green.
443½ yards Holland, brown.	31,781 yards lace worsted, assorted.
127,917 yards kersey, sky blue, ¾.	20,220½ yards linings.
500 yards lace, red silk, ½-inch.	173 yards linen, brown.

$\frac{1}{2}$  yard linsey, white.  
 1,392 $\frac{1}{2}$  yards merino, green.  
 62,370 $\frac{1}{2}$  yards muslin,  $\frac{1}{2}$ .  
 13,278 yards silesia, black.  
 50 $\frac{1}{2}$  dozen pieces tape, white.  
 5 skeins thread, orange.

16,704 spools thread, for basting.  
 5,062 pounds thread, linen patent.  
 25,613 spools thread, black and white.  
 13,581 dozen spools thread, linen machine  
 59,720 sheets wadding.  
 129 $\frac{1}{2}$  yards wiggan, black.

Respectfully submitted:

ALEX. J. PERRY,

*Brevet Brigadier General and Quartermaster United States Army.*

QUARTERMASTER GENERAL'S OFFICE, October 15, 1868.

*Statement of amounts received from the sale of surplus serviceable, unserviceable, damaged, and irregular articles of clothing, camp and garrison equipage, and materials sold during the fiscal year ending June 30, 1868.*

From sale of surplus serviceable clothing and equipage.....	\$3,414,589 46
From sale of unserviceable and irregular clothing and equipage.....	353,285 66
From sale of materials .....	166,756 53
Total amount of sales.....	3,934,631 65

Respectfully submitted:

ALEX. J. PERRY,

*Brevet Brigadier General and Quartermaster U. S. Army.*

QUARTERMASTER GENERAL'S OFFICE, October 15, 1863.

*Statement of clothing, camp and garrison equipage purchased and manufactured during the fiscal year ending June 30, 1868.*

Articles.	N. York.	Philadelphia.		St. Louis.
	Purch'd.	Purch'd.	Manuf'd.	Purch'd.
Altos, E flat.....	13			
Baritone, B flat.....	7			
Basses, B flat.....	3			
Basses, E flat.....	2			
Books, music.....	52			
Bands and tassels, red.....		500		
Cymbals, pairs.....	4			
Clarionets.....	15			
Clarionet reeds, dozen.....	4			
Cornets, E flat.....	13			
Cornets, B flat.....	15			
Colors, national engineers.....		1		
Colors, battalion engineers'.....		1		
Cords and tassels, hat, ordnance.....		2,019		
Caps, light artillery.....		220		
Coat, sergeant engineers'.....			1	
Coat, sergeant ordnance.....			1	
Coat, sergeant, buff facings.....			1	
Coats, private artillery.....			41	
Coats, private infantry.....			313	
Coats, sack, lined.....			15	
Coats, sack, unlined.....			66	
Chevrons, sergeant ordnance, silk, pairs.....			200	
Chevrons, sergeant major cavalry, pairs.....			60	



*Statement of clothing, &c.—Continued.*

Articles.	N. York.	Philadelphia.		St. Louis.
	Purch'd.	Purch'd.	Manuf'd.	Purch'd.
Chevrons, quartermaster sergeant cavalry, pairs .....			60	
Chevrons, regimental commissary sergeant cav., pairs .....			40	
Chevrons, first sergeant cavalry, pairs .....			2	
Chevrons, sergeant cavalry, pairs .....			2	
Chevrons, corporal cavalry, pairs .....			2	
Chevrons, company quartermaster sergeant cav., pairs .....			*500	
Chevrons, regimental commissary sergeant, art., pairs .....			110	
Chevrons, first sergeant artillery, pairs .....			2	
Chevrons, sergeant artillery, pairs .....			2	
Chevrons, corporal artillery, pairs .....			2	
Chevrons, quartermaster sergeant infantry, pairs .....			2	
Chevrons, regimental commissary sergeant inf, pairs .....			180	
Chevrons, first sergeant infantry, pairs .....			2	
Chevrons, sergeant infantry, pairs .....			2	
Chevrons, corporal infantry, pairs .....			2	
Chevrons, company quartermaster serg't inf., pairs .....			*100	
Chevrons, chief musician infantry, pairs .....			12	
Chevrons, regimental hospital steward, pairs .....			250	
Drawers .....			8	
Drums, bass .....	5			
Drums, tenor .....	3			
Drum belts, bass .....	1			
Drum heads, bass .....	5			
Drum heads, snare, tenor .....	5			
Drum heads, batter, tenor .....	2			
Drum hoops .....	2			
Drum-sticks, pair .....	1			
Flute .....	1			
Frocks, fatigue, cotton .....			54	
Flags, garrison .....			350	
Flags, garrison .....			719	
Gloves, buck, pairs .....				200
Haversacks, patent .....		499		
Halliards, garrison flag .....		225		
Horns, French .....	2			
Jackets, French pattern .....			1	
Knapsacks, Buchanan's patent .....			300	
Knapsacks, Baxter's patent .....			*300	
Knapsacks, Woods's patent .....			*300	
Overshoes, buffalo, pairs .....				9, 851
Paper, music, ream .....	1			
Piccolos .....	3			
Shirts, flannel .....			4	
Trousers, sergeant engineers', pair .....			1	
Trousers, footmen's, pairs .....			476	
Tents, hospital, Pullen's patent .....			*200	
Tenors, E flat .....	4			
Tenors, B flat .....	14			
Tubas, E flat .....	8			
Wreaths for hospital steward's hats .....		20		

\* Altered.

Respectfully submitted:

ALEX. J. PERRY,  
 Brigadier General and Quartermaster U. S. Army.

QUARTERMASTER GENERAL'S OFFICE, October 15, 1868.

*Statement of the quantity of materials purchased during the fiscal year ending June 30, 1868.*

1 dozen awls, brad.....	\$0 13	12 gallons oil neat's foot ....	\$15 00
822 pieces bunting, red.....	13, 152 00	15,000 pounds paper, petroleum..	2, 100 00
715 pieces bunting, white ....	11, 440 00	66 reams paper, wrapping....	146 60
312 pieces bunting, blue.....	4, 992 00	1 pair pliers, cutting.....	2 00
5 pounds Burr's tin.....	2 50	133 pounds rivets, copper.....	83 17
9 papers Burr's tin.....	4 05	15 pounds rivets, iron.....	3 00
1,000 bolts, carriages.....	29 86	541 rings, brass, 1 $\frac{1}{4}$ -inch.....	10 82
10 gallons benzine.....	2 50	300 rings, japanned, $\frac{1}{4}$ -inch...	1 50
$\frac{1}{2}$ yard cassimere, buff.....	1 50	600 rings, japanned, D.....	3 75
2 gross cords, white linen ..	8 50	5 gross rings, harness.....	4 75
315 pounds dubbing.....	78 75	6 gross rings, 1-inch.....	5 25
300 pair hinges.....	15 00	1 set stencils.....	16 25
2,167 pounds iron, hoop.....	162 37	2 stencil brushes.....	2 75
4 dozen knives, shoe.....	4 30	2 cases stencil ink.....	2 00
2,734 yards lace worsted, crimson		6 dozen spools silk, sewing..	7 50
$\frac{1}{2}$ inch.....	95 68	13 gross snaps, japanned....	37 44
5 sides leather, bridle.....	32 00	300 pairs sticks, hickory.....	75 00
6 sides leather, strap.....	40 26	1,200 pairs sticks, ash.....	19 00
205 feet leather, wax upper...	57 40	2,100 pairs straps, hickory. ....	63 00
19,200 feet lumber for packing		1 gallon turpentine.....	90
boxes.....	642 50		
6 pounds nails, trunk.....	1 08	Total.....	33,544 98
3,100 pounds nails, cut.....	180 30		
200 needles, sail.....	2 62		

Respectfully submitted:

ALEX. J. PERRY,

*Brevet Brigadier General and Quartermaster U. S. Army.*

QUARTERMASTER GENERAL'S OFFICE, October 15, 1868.

*Statement showing expenditures on account of clothing and equipage and materials, rent of buildings for officers, and storehouses, payment of employes, and overhauling and repacking of stores at the principal depots of New York, Philadelphia, Jeffersonville, Indiana, and St. Louis, Mo., during the fiscal year ending June 30, 1868.*

New York.....	\$81,508 44
Philadelphia.....	132,773 73
Jeffersonville.....	87,717 57
St. Louis.....	52,581 67
Total.....	354,581 41

Respectfully submitted.

ALEX. J. PERRY,

*Brevet Brigadier General and Quartermaster U. S. Army.*

QUARTERMASTER GENERAL'S OFFICE, October 15, 1868.

*Gratuitous issues of clothing to national asylums for disabled soldiers, General B. F. Butler, president, under authority of act of Congress, approved March 22, 1867, for the fiscal year ending June 30, 1868.*

Date of order.	From whom ordered.	To whom ordered.	Destination.	Forage caps.	Uniform coats.	F. S. coats, unlined.	F. S. coats, lined.	Trousers, privates.	Shirts, flannel.	Drawers, flannel.	Stockings.	Bootees.	Great coats, foot.
July 6, 1867..	Col. R. N. Batchelder, Jeffersonville.	Deputy governor Central National Asylum..	Columbus, Ohio.....	200	200	.....	200	200	400	400	400	200	200
July 15, 1867..	.....do.....do.....	M. M. Wishard, superintendent Soldiers and Sailors' Home.	Knightstown, Indiana..	100	100	.....	100	100	200	200	200	100	100
Jan. 31, 1868..	Col. H. C. Ransom, Jeffersonville.	Jas. B. Bradwell, president Soldiers' Home ..	Chicago, Illinois .....	92	92	.....	92	92	184	184	184	92	92
Feb. 1, 1868..	Gen. G. H. Croaman, Philadelphia.	Surgeon A. N. Dougherty, com'd't Soldiers' Home.	Newark, New Jersey...	152	152	.....	152	152	152	152	152	152	152
	'Total.....	.....	.....	544	544	.....	544	544	936	936	936	544	544

Respectfully submitted:

QUARTERMASTER GENERAL'S OFFICE, October 15, 1868.

ALEX. J. PERRY,  
Brevet Brig. Gen. and Quartermaster U. S. Army.

*Account of clothing and equipage transferred by purchase to General B. F. Butler, president of "the national asylums for disabled soldiers," or agent, under authority of the Secretary of War, for the fiscal year ending June 30, 1868.*

Date of order.	From whom ordered.	To whom ordered.	Destination.	Uniform hats, untrimmed.	Forage caps.	Uniform coats, privates.	F. S. coats, unlined.	F. S. coats, lined.	Trousers, foot.	Shirts, flannel.	Drawers, flannel.	Stockings.	Boots.	Bootees.	Great coats, foot.	Blankets, wool.	Fatigue overalls.	Bed sacks, single.	Shovels.	Camp kettles.
Aug. 23, 1867	Gen. R. Ingalls, N. Y.	Gen. B. F. Butler, or agent.	-----	3,000	3,000	3,000	-----	-----	-----	6,000	6,000	-----	3,000	3,000	3,000	-----	1,500	-----	-----	-----
Nov. 13, 1867	Gen. G. H. Croxman, Philadelphia.	...do	-----	-----	-----	-----	3,000	-----	3,000	-----	-----	6,000	-----	-----	-----	1,000	-----	-----	-----	-----
Jan. 9, 1868	...do	Gov'nor Smyth, or ag't, Wm. Struthers, esq.	Augusta, Maine; Filbert street, Phila., (Maine soldiers.)	-----	-----	-----	-----	-----	6	300	300	300	-----	-----	6	300	-----	-----	12	50
Jan. 31, 1868	...do	William Struthers, Soldiers' Home.	Philadelphia, Pa., (Maine soldiers.)	-----	50	25	-----	50	25	-----	-----	-----	-----	25	25	-----	-----	-----	-----	-----
Feb. 3, 1868	...do	Gen. T. Ingraham, asylum; Rev. Mr. Earnshaw.	Dayton, O., (Me. soldiers.)	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	500	-----	300	-----	-----
Mar. 6, 1868	...do	William Struthers, Soldiers' Home.	Philadelphia, Pa.	-----	-----	25	-----	-----	25	-----	-----	-----	25	-----	-----	-----	-----	-----	-----	-----
Mar. 26, 1868	...do	do	do	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	50	-----	-----	-----	-----	-----	-----
Total				3,000	3,050	3,075	3,000	50	3,056	6,300	6,300	6,300	3,025	3,075	3,031	1,800	1,500	300	12	50

Respectfully submitted:

QUARTERMASTER GENERAL'S OFFICE, October 15, 1868.

ALEX. J. PERRY,  
Brevet Brig. Genera and Quartermaster U. S. Army.

*A.—Statement of clothing and camp and garrison equipage transferred for issue to the army by the quartermasters' department during the fiscal year ending June 30, 1868.*

Articles.	Number.	Articles.	Number.
<b>CLOTHING.</b>			
Uniform coats, engineers' .....	611	Haversacks .....	57,991
Uniform coats, ordnance .....	569	Canteens .....	38,869
Uniform coats, artillery .....	2,793	Buffalo overshoes .....	8,969
Uniform coats, infantry .....	31,041	Gloves and mittens .....	23,134
Uniform jackets, cavalry .....	3,447		
Uniform jackets, artillery .....	2,370	<b>CAMP AND GARRISON EQUIPAGE.</b>	
Jackets, knit .....	5,905	Tents, hospital .....	237
Uniform trousers, foot .....	128,220	Tents, wall .....	1,902
Uniform trousers, mounted .....	40,466	Tents, common .....	8,128
Overalls .....	3,817	Tents, miscellaneous .....	130
Drawers, flannel and knit .....	158,376	Tents, stove .....	433
Shirts, flannel, knit, gray, &c .....	234,462	Bedsacks, single .....	23,591
Great-coats, foot .....	24,481	Bedsacks, double .....	8,279
Great-coats, horse .....	12,968	Mosquito bars .....	25,826
Great-coat straps .....	49,465	Colors, regimental .....	2
Blankets, woollen .....	84,166	Standards .....	10
Blankets, rubber .....	14,535	Flags, storm .....	561
Ponchos .....	7,632	Flags, garrison .....	234
Sack coats, lined .....	76,464	Flags, recruiting .....	139
Sack coats, unlined .....	30,629	Guidons .....	481
Bootees .....	159,400	Camp kettles .....	6,592
Bootees, pegged .....	22,201	Iron pots .....	240
Boots .....	40,398	Mess pans .....	5,167
Boots, pegged .....	7,036	Pick axes .....	1,618
Leggings or gaiters .....	3,900	Axes .....	7,713
Stockings .....	260,480	Hatchets .....	3,510
Stocks, leather .....	32,931	Spades .....	3,837
Uniform hats .....	13,330	Shovels .....	301
Uniform caps .....	1,322	Bagles .....	283
Forage caps .....	149,141	Trumpets .....	463
Cap covers .....	54,820	Drums .....	359
Stable frocks .....	14,800	Fifes .....	325
Sashes .....	1,893		
Knapsacks .....	38,741		

Respectfully submitted :

ALEX. J. PERRY,

*Brevet Brigadier General and Quartermaster U. S. A.*

QUARTERMASTER GENERAL'S OFFICE, October 15, 1868.

*Statement of returns of clothing and camp and garrison equipage, received, examined, and transmitted to the Treasury Department, of vouchers pertaining thereto, received and examined, of letters received, of letters written, and of triplicate invoices, received and entered, during the fiscal year ending June 30, 1868.*

Number of returns received and entered .....	18,513
Number of vouchers, pertaining to officers' returns, received and entered .....	4,236
Number of returns and vouchers, pertaining to officers' returns, examined and transmitted to Second Auditor .....	22,831

Number of letters received, (exclusive of those received with returns and triplicate invoices, &c).....	6, 539
Number of letters written, (including the Second Auditor's letters) .....	42, 155
Number of triplicate invoices received and entered.....	9, 352
Respectfully submitted:	

ALEX. J. PERRY,

*Brevet Brigadier General and Quartermaster U. S. A.*

QUARTERMASTER GENERAL'S OFFICE,

October 15, 1868.

*Statement of claims for property purchased, and seized for use of the army, received in the clothing and equipage branch of the Quartermaster General's office, during the fiscal year ending June 30, 1868.*

Number of claims received, 17—amounting to.....	\$15,962 87
Number of claims referred and recommended for settlement, 6—amounting to.....	950 54
Number of claims disallowed, 4—amounting to.....	3,489 33
Number of claims not finally adjusted, 7—amounting to....	11,523 00
Respectfully submitted:	

ALEX. J. PERRY,

*Brevet Brigadier General and Quartermaster U. S. A.*

DEPOT QUARTERMASTER'S OFFICE,

*Jeffersonville, Indiana, July 2, 1867.*

GENERAL: I have the honor to acknowledge the receipt of your communication of the 13th of May, directing me to ascertain and report upon what terms a tract of land can be leased by the government, at this place, with the privilege of purchasing at a fixed price, for the purpose of erecting fire-proof warehouses thereon. In reply I would respectfully submit the following enclosed propositions, viz:

1. Harris, Hutchings &amp; Bright.

2. R. B. Hopkins.

3. S. H. Patterson.

4. Heirs of J. Shallcross.

1. The title to the land included in the first proposal is in Jesse D. Bright, formerly United States senator from this State. The land was first taken for hospital purposes in 1863, the government declining to allow Mr. Bright any rent for the use of it. Mr. Bright thereupon leased it to Harris & Hutchings, of Louisville, for \$12 50 per acre per annum, giving them the right to purchase two-thirds of it, at any time within five years, at the rate of \$300 per acre. Harris & Hutchings then leased the land to the United States, at the rate of \$25 per acre per annum, which rental they have continued to receive up to the present time. They have now availed themselves of their right to purchase from Bright, and it is not at all probable that they will ever do so, unless they should succeed in selling to the government before concluding their own purchase. The tract contains 117½ acres, and is assessed for taxation at \$15,000.

2. R. B. Hopkins represents the owners of 625 acres of land, east of

that owned by Bright, and, but for its increased distance from the city, would be equally as good a location. It is now rented for farming purposes at about \$5 per acre per annum, and its assessed value for taxation is \$58,000.

Both of the above lots are in Clark county, outside of the Jeffersonville city limits, and are distant from  $1\frac{1}{2}$  to 2 miles from the Jeffersonville railroad depot, which is the nearest point at which railroad facilities can be obtained. Both of the tracts have good water-fronts.

The signers of the statement attached to the first proposal are Bright's personal friends, who signed the paper at his solicitation. There is little doubt but that the signatures of an equal number of as fully reliable men could be obtained to a statement to the effect that \$300 or \$400 per acre would be a very liberal price for any part of the land owned either by Bright or Hopkins. I have reason to believe that the price asked by Bright is largely in excess of what Harris & Hutchings would be willing to accept, and of what they think the land is worth; but as their interest is an undivided one, and he declines to take a less sum, they are obliged to assent to his proposal.

3. S. H. Patterson's land is located in Clarksville, one mile west of the Jeffersonville railroad depot. It was leased by the government during the war, and is known as Camp Joe Holt. It will be seen by the plan that it lies opposite the city of Louisville, Kentucky, and just at the terminus of the new bridge now being constructed across the Ohio river. The Jeffersonville and New Albany railroad passes near the north side of the lot, and branch tracks can be run from the road into the warehouses. This land has heretofore been assessed for taxation at about \$100 per acre. The recent location of the bridge across the Ohio river at this point has greatly enhanced the value of all the property in its vicinity, and it will be still further increased when the bridge is completed, as its distance from the main street, in Louisville, will be less than  $1\frac{1}{2}$  mile. It is said that a steamboat landing can be constructed, at a small expense, on the southwest corner of the lot, below the falls, where boats can land at any time when there is over five feet of water in the river, but I doubt its practicability.

One of the two buildings which Mr. Patterson reserves the right to remove was formerly used as quarters by the commanding officer of the camp; the other was the chapel. Both were purchased by Mr. Patterson at the time the camp was sold out.

The State of Indiana has recently purchased six acres of the land in rear of the prison, being part of lot No. 29 on the plan, at the rate of \$1,000 per acre.

4. The heirs of J. Shallcross propose to sell lots Nos. 30 and 31, as shown on the plan, and containing  $21\frac{1}{2}$  acres. This is a good location, provided the amount of land offered is sufficient to answer the wants of the government. There is a canal, for manufacturing purposes, running along the bank of the river, which is not included in the proposal, the north line of the street, on the river bank, being the southern boundary of the lot.

That part of lot No. 32, lying west of the railroad, and running to the mill, and containing 4.50 acres, is owned by J. Smyrer, of Louisville, who declines making any proposal for its sale to the government, but says that he would take \$2,000 per acre for it at the present time.

The above are the only places on the river or railroad in the immediate vicinity of the city where sufficient land for the proposed buildings can be had.

In soliciting proposals, I have endeavored to find a location where both

rail and river transportation could be had at the warehouses, so as to avoid the expense of trucking stores, but have failed to find any such location in this vicinity.

Enclosed with the proposals is a plot of the land offered by Bright and Hopkins, and also showing the location of that offered by Patterson and the Shallcross heirs.

I think that Mr. Patterson's land is the best adapted for the purposes for which it is desired by the government, and that the price named is a reasonable one, and I would respectfully recommend its selection.

I am, general, very respectfully, your obedient servant,

R. N. BATCHELDER,

*Bvt. Col. and Depot Quartermaster.*

Brevet Major General D. H. RUCKER,

*Acting Q. M. Gen. U. S. A., Washington, D. C.*

ASSISTANT QUARTERMASTER GENERAL'S OFFICE, U. S. A.,

*Louisville, Kentucky, July 25, 1867.*

GENERAL: In compliance with your instructions of the 16th instant I have visited the several localities in the vicinity of Jeffersonville, Indiana, offered as a site for the fire-proof warehouses proposed to be erected.

After a careful examination, I fully concur in the views of Colonel Batchelder, giving the preference to the land offered by A. R. Patterson, as set forth in his report to you of 2d instant; and if it is decided that the buildings must be put up, would recommend the purchase of so much of the land as may be required on the terms offered by him—\$1,000 per acre, which is probably a fair price.

The quantity of land required will, of course, depend on the extent and character of the buildings to be erected.

The papers are herewith returned.

Very respectfully, your obedient servant,

THOS. SWORDS,

*Assistant Quartermaster General, U. S. Army.*

QUARTERMASTER GENERAL OF THE ARMY,

*Washington, D. C.*

QUARTERMASTER GENERAL'S OFFICE,

*Washington, D. C., October 17, 1867.*

GENERAL: I have the honor to report my return from Jeffersonville, Indiana, last evening, and to inform you that in accordance with your instructions of the 2d instant I have made an examination of the buildings occupied at that place as a depot of the quartermasters' department.

These buildings, although not of a permanent character of construction, are in good condition and will yet last several years. They are one story, open to the roof, and not being divided up into several rooms, are well adapted for storehouses. The roofs are shingled and perfectly tight; the studding rests upon sills which are from two to four feet above the natural surface of the ground according to locality. I think that these buildings will last, with ordinary care, for at least ten years without deterioration. They were erected in 1863 and 1864.

The communications of Jeffersonville, by means of which the transportation of supplies southward may be had, are by rail and river. By the first method it is necessary to cart the stores about a mile to the ferry, thence across to Louisville to the railroad station in that city.



This, of course, is a considerable additional expense that could be avoided were the town of Jeffersonville in unbroken communication with the southern railroads.

Jeffersonville being above the falls of the Ohio, transportation by steamboat south and west (without the ferriage referred to above, and with comparatively small cost of cartage) can only be had when the waters of the Ohio are sufficiently high to admit the passage of boats over the falls. This, however, is never the case all the year round, and during my visit navigation over the falls was at a standstill. The canal round the falls is on the Louisville side and is not large enough to admit boats of the size that usually navigate below the falls.

Communication, with transportation, north and east, may be had by the river in good stage of water, at other times by rail, via the Jeffersonville and Indianapolis railroad, which communicates also with the west, via the Ohio and Mississippi railroad.

By this communication supplies could be received from the east, but it would seem to be an unnecessary expense to stop them short of their destination. If going into depot for the army on the plains, they should be sent direct to a point at or near some terminus of the Pacific railroad, for ultimate transportation over it.

The stores on hand at Jeffersonville depot consist of quartermasters' stores and clothing and equipage, the great bulk of them being of the latter description. During the past year quartermasters' stores equal in quantity to those on hand have been issued.

Under a similar condition of affairs it is reasonable to suppose that during the next twelve months the remainder will be absorbed by issues and transfers.

The clothing and equipage, as heretofore mentioned, composes the great bulk of the property on hand there. If it be intended to sell from these supplies all that are not required for current issues, I think that all can be disposed of without great sacrifice during the next two or three years at furthest, which being the case, there would seem to be no necessity for the construction of fire-proof buildings, as the property which was proposed to have been protected by them would have been disposed of before they would probably be completed.

If, however, it should be determined upon to purchase ground for the erection of a permanent depot at Jeffersonville, which I cannot recommend, I would respectfully invite your attention to the report of General Thomas Swords, assistant quartermaster general, in which he recommends, for reasons stated therein, the site of the Joe Holt hospital as the most suitable, and inform you that after personal examination of the ground I fully concur with him.

I am, general, very respectfully, your obedient servant,

ALEX. J. PERRY,

*Breret Brig. Gen. and Quartermaster U. S. Army.*

Brevet Major General D. H. RUCKER,

*Acting Quartermaster General U. S. A., Washington, D. C.*

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CEMETERIAL BRANCH,  
QUARTERMASTER GENERAL'S OFFICE.

*Washington, D. C., January 27, 1868.*

SIR: In compliance with General Orders No. 15, Quartermaster General's office of the 18th of May 1868, I have the honor to submit herewith my annual report of the cemeterial operations throughout the United States during the fiscal year ending June 30, 1868.

The progress made in the work of reinterring the scattered remains of Union soldiers, who were killed in the various battles in defence of the government, or who died of disease in the numerous hospitals, or suffered martyrdom in the prison pens of the south during the late rebellion, of protecting and marking their graves, of enclosing the cemeteries, and of making the various interior improvements required, has been generally gratifying; and although the whole work is not yet quite completed, it is very nearly finished in most places.

In the arrangement of the following report the system of military divisions, departments, and districts, in force on the 30th of June, 1868, has been adhered to.

A circular sheet of questions (a copy of which is enclosed, marked B) was prepared and forwarded to the chief quartermasters of military divisions, departments, and districts, and the information given is mainly based upon their replies; besides which, the full records on file in the cemeterial branch of this office have furnished material assistance in the compiling of the statistics furnished in the following report.

## A.—MILITARY DIVISION OF THE ATLANTIC.

### I.—DEPARTMENT OF THE EAST.

1. In the department of the East, under charge of Brevet Major General Geo. H. Crosman, assistant quartermaster general, United States army, the graves at the beginning of the year were generally in a good condition and needed very little improvement. Among the more important work performed in this department has been the removal of 312 bodies from the hospital cemetery at Portsmouth Grove, R. I., to the national cemetery at Cypress Hills, Long island, N. Y.

2. The principal points in the department of the east where Union soldiers are interred, are (a) "Cypress Hills" national cemetery on Long island, containing the bodies of 3,116 Union soldiers and of 461 rebel prisoners of war, and (b) Gettysburg, Pennsylvania, containing 3,564 graves; (c) in and around the city of Philadelphia are interred the bodies of 1,903 deceased Union soldiers. At the Woodlawn prison cemetery, Almira, New York, are buried 2,984 rebel prisoners of war, and at Finn's Point, New Jersey, 1,273 prisoners of war and 12 Union soldiers.

At Madison barracks, Sackett's Harbor, New York are the graves of about 580 United States officers and soldiers, most of whom, however, fell in the war of 1812.

3. The total number of bodies of United States soldiers reported buried in the department of the east is 13,950.

4. The number of the same which can probably be identified is 11,824.

5. The number of the same which cannot probably be identified is 2,126.

6. The number of bodies which have been reinterrred up to date of report is 736.

7. The number of bodies which it is proposed to reinter hereafter is 150.

8. The estimated aggregate of expenditures, on account of cemeteries and interments in the department of the east, up to the 30th of June, 1868, is \$34,125 76.

9. The expenditures required for this purpose for the next fiscal year are estimated at \$55,090 91

### II.—DEPARTMENT OF WASHINGTON.

1. In the department of Washington, the cemeteries under the direction of Brevet Brigadier General J. C. McFerran, deputy quartermaster

general United States army, and Brevet Colonel A. P. Blunt, assistant quartermaster, have been brought to completion, with the exception of the Grafton national cemetery, West Virginia, and the Arlington national cemetery, Arlington, Virginia, which latter cemetery cannot be completed as long as it is kept in use as the burial place of the garrison of Washington.

During the fiscal year ending June 30, 1868, 1,636 bodies of deceased Union soldiers were removed to the Arlington national cemetery, as follows, viz:

	Bodies.
From the Harmony cemetery, Washington, D. C.....	531
From the Congressional cemetery, Washington, D. C.....	78
From the Bull Run battle-fields.....	349
From the Point Lookout cemetery, Point Lookout, Maryland....	678
Total.....	<u>1,636</u>

2. Up to the 30th of June, 1868, there had been interred 15,547 bodies in the Arlington national cemetery; in the United States Military Asylum (Soldiers' Home) national cemetery, 5,488 bodies are interred; in the Alexandria (Va.) military cemetery, 3,635 bodies; in the Battle cemetery at Fort Stevens, 40 bodies, and at Ball's Bluff (Va.) cemetery, 54 bodies. At Grafton, West Virginia, 1,082 bodies of deceased soldiers had been interred up to June 30, 1868, and it is estimated that in the next fiscal year the bodies of 1,918 Union soldiers will be added to the above number, thus giving a total number of bodies expected to be contained in that national cemetery, when completed, of 3,000. At Annapolis, Maryland, are 2,486, and at Antietam, Maryland, are 4,496 graves of Union soldiers.

At Point Lookout, Maryland, the remains of 2,466 rebel prisoners of war are interred.

3. The total number of bodies of United States soldiers buried in the department of Washington is 35,529.

4. The number of the same which can probably be identified is 28,085.

5. The number of the same which cannot probably be identified is 7,444.

6. The number of bodies which have been reinterred up to date of report is 31,033.

7. The number of bodies which it is proposed to reinter hereafter is 1,918.

8. The estimated aggregate of expenditures on account of cemeteries and interments in the department of Washington, up to the 30th of June, 1868, is \$395,262 84.

9. The expenditures required for this purpose for the next fiscal year are estimated at \$34,888 09.

### III.—DEPOT OF BALTIMORE.

1. The soldiers' cemeteries in and around Baltimore, Maryland, have, during the past fiscal year, been under the charge of Brevet Major General S. Van Vliet, deputy quartermaster general United States army. Very little work was required here, and no report has been received from General Van Vliet in response to circular of April 14, 1868.

2. The Loudon Park national cemetery contains the graves of 1,785 deceased Union soldiers. The Laurel cemetery contains the graves of 229 colored soldiers.

3. The total number of bodies of United States soldiers supposed to be buried at the depot of Baltimore is 2,014.

4. The number of the same which can probably be identified is 1,828.

5. The number of the same which cannot probably be identified is 186.

6. The number of bodies which have been reinterred to date of report is not reported.

7. The number of bodies which it is proposed to reinter hereafter is not reported.

8. The estimated aggregate of expenditures on account of cemeteries and interments, at the depot of Baltimore, up to the 30th of June, 1868, has not been reported by General Van Vliet, but they are stated by him in a letter dated March 28, 1868, to have been \$10,468 25 up to that date.

9. No estimate has been furnished for the expenditures required for this purpose for the next fiscal year.

#### IV.—DEPARTMENT OF THE LAKES.

1. In the department of the Lakes a great deal of work has been performed under the able and skilful direction of Brevet Brigadier General Judson D. Bingham, chief quartermaster of the department. Considerable progress has been made in the work of protecting the remains of soldiers and preserving the records of interment, and the whole work of improving the burial grounds is very fast approaching its completion. General Bingham has shown a zeal, thoroughness and promptness in this work which cannot be exceeded; and it is only unfortunate for the department that his field of labor has not been more extensive.

2. General Bingham reports the interment of 10,502 bodies of deceased Union soldiers, and of 10,494 rebel prisoners of war, in three national and 120 local and other cemeteries, among which the following contain the largest number of bodies, viz:

Name and locality of cemetery.	No. of bodies of Union soldiers.	No. of bodies of rebel prisoners of war.	Total number of bodies.
Mound City, Illinois.....	4,923	40	4,963
Crown Hill, Indianapolis, Indiana.....	708		708
Rock Island, Illinois.....	135	1,928	2,063
Camp Butler, Illinois.....	647	644	1,291
Chicago, Illinois.....	342	4,039	4,381
Cincinnati, Ohio.....	655		655
Columbus, Ohio.....	426		426
Evansville, Indiana.....	599		599
Camp Chase, Ohio.....		2,050	2,050
Camp Denison, Ohio.....	339	31	370
Quincy, Illinois.....	242		242
Green Lawn, Indianapolis, Indiana.....		1,556	1,556
Gallipolis, Ohio.....	158		158
Total.....	9,174	10,288	19,462

3. The total number of bodies interred in the department of the Lakes is 20,996; of which 10,502 are those of Union soldiers, and 10,494 those of rebel prisoners of war.

4. The number of the United States soldiers which can probably be identified is 7,660.

5. The number of the same which cannot probably be identified is 2,842.

6. The number of bodies which have been reinterred to date of report is 9,030.

7. The number of bodies which it is proposed to reinter hereafter is 748.

8. The estimated aggregate of expenditures on account of cemeteries and interments in the department of the Lakes up to the 30th of June, 1868, is \$131,362 87.

9. The expenditures required for this purpose for the next fiscal year are estimated at \$5,545.

#### V.—FIRST MILITARY DISTRICT.

1. The cemeterial operations in the first military district, under the direction of Brevet Lieutenant Colonel James M. Moore, chief quartermaster of the district, have been brought very near to completion.

2. The following tabular statement shows the number of Union soldiers in each of the national cemeteries located in the first military district, viz:

Name of cemeteries.	Number.	No. of bodies interred now.	No. of bodies expected.	Total number of graves.
Richmond, Virginia.....	1	6,281	.....	6,281
Fort Harrison.....	2	814	.....	814
Glendale.....	3	1,196	.....	1,196
Cold Harbor.....	4	1,033	.....	1,033
City Point.....	5	5,123	.....	5,123
Poplar Grove, (Petersburg).....	6	5,599	101	5,700
Seven Pines.....	7	1,349	.....	1,349
Yorktown.....	8	2,180	.....	2,180
Danville.....	9	1,316	.....	1,316
Hampton.....	10	4,654	.....	4,654
Fredericksburg.....	11	14,848	452	15,300
Culpeper C. H.....	12	1,327	.....	1,327
Winchester.....	13	4,385	.....	4,385
Staunton.....	14	749	.....	749
Total.....	.....	50,854	553	51,407

These cemeteries were nearly all originally laid out and constructed by Colonel Moore, whose devotion to this work is familiar to the people of the country, and whose zeal and energy have been continued in the work of decoration and improvement.

3. The total number of bodies of United States soldiers reported as interred in the first military district is 51,407.

4. The number of the same which can probably be identified is 18,428.

5. The number of the same which cannot probably be identified is 32,979.

6. The number of bodies which have been reinterred up to date of report is 50,854.

7. The number of bodies which it is proposed to reinter hereafter is 503.

8. The estimated aggregate of expenditures on account of cemeteries and interments in the first military district up to the 30th of June, 1868, is \$631,140 24.

9. The expenditures required for this purpose for the next fiscal year are estimated at \$43,100.

#### VI.—SECOND MILITARY DISTRICT.

1. In the second military district, under the energetic direction of Brevet Major General R. O. Tyler, deputy quartermaster general United States army, the work of interments has been nearly finished, and the work of permanent improvements is very rapidly approaching its completion.

2. The following tabular statement shows the number of bodies of deceased Union soldiers interred in each of the national cemeteries in the States of North and South Carolina, viz :

	No.	Number of graves.
Beaufort, South Carolina.....	1	10,000
Florence, South Carolina.....	2	2,795
Wilmington, North Carolina.....	3	2,059
Raleigh, North Carolina.....	4	3,287
Newbern, North Carolina.....	5	1,187
Salisbury, North Carolina.....	6	12,112
Total.....	.....	31,440

In cemeteries other than national are interred the bodies of 94 Union soldiers, viz :

At Charleston, South Carolina.....	80 graves.
At Columbia, South Carolina.....	14 “
Total.....	94 graves.

3. The total number of bodies of deceased Union soldiers interred in the second military district is 31,534.

4. The number of the same which can probably be identified is 8,474.

5. The number of the same which cannot probably be identified is 23,060.

6. The number of bodies which have been reinterred up to date of report is 31,241.

7. The number of bodies which it is proposed to reinter hereafter is 189.

8. The estimated aggregate of expenditures on account of cemeteries and interments in the second military district up to the 30th of June, 1868, is \$149,984 65.

9. The expenditures required for this purpose for the next fiscal year are estimated at \$24,925.

#### VII.—THIRD MILITARY DISTRICT.

1. In the third military district, (comprising the States of Georgia, Alabama, and Florida,) under the direction of Brevet Brigadier General Rufus Saxton, chief quartermaster of the district, the work of interments

has been brought very near its completion, and the work of improving the cemeteries is progressing rapidly.

During the fiscal year ending June 30, 1868, 811 bodies were removed from Montgomery, Alabama, and reinterred at Marietta, Georgia, and about 2,800 bodies were removed from the Millen, Georgia, prison cemetery at Lawtonville, Georgia, from the vicinity of Savannah, Georgia, and from various posts in eastern Florida, and were reinterred in the second military district, at Beaufort, South Carolina.

2. The principal national cemeteries in the third military district and the number of graves in each are as follows, viz:

1. Andersonville, Georgia, containing.....	13,705 graves.
2. Marietta, Georgia, containing.....	9,972 "
3. Mobile, Alabama, containing.....	834 "
4. Barrancas, Florida, containing.....	1,008 "

Total.....	<u>25,519 graves.</u>
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3. The total number of bodies of United States soldiers buried in the third military district is 25,636.

4. The number of the same which can probably be identified is 21,040.

5. The number of the same which cannot probably be identified is 4,596.

6. The number of bodies which have been reinterred up to the date of report is 12,519.

7. The number of bodies which it is proposed to reinter hereafter is 100.

8. The estimated aggregate of expenditures on account of cemeteries and interments in the 3d military district, up to the 30th of June, 1868, is \$216,343 71.

9. The expenditures required for this purpose for the next fiscal year are estimated at \$56,335 51.

#### VIII.—FOURTH MILITARY DISTRICT.

1. In the fourth military district, comprising the States of Mississippi and Arkansas, under the direction of Brevet Colonel J. G. Chandler, chief quartermaster of the district, the cemeterial operations have made favorable progress, and the work is rapidly approaching completion.

2. The following statement shows the number of bodies now interred in each of the national cemeteries in the fourth military district, and the number which it is expected will be in the same, when finally completed:

No	Name and location of national cemetery.	No. of bodies interred June 30, 1868.	No. of bodies expected when completed.
1	Vicksburg, Mississippi.....	14,185	17,012
2	Natchez, Mississippi.....	1,720	3,000
3	Little Rock, Arkansas.....	4,050	5,500
4	Fort Smith, Arkansas.....	1,583	2,022
5	Fayetteville, Arkansas.....	1,202	1,222
	Total.....	22,740	28,756

The national cemetery at Corinth, Mississippi, has remained under the charge of the chief quartermaster department of the Cumberland, and will be accounted for with that department.

3. The total number of bodies of United States soldiers reported as interred in the 4th military district, is 28,756.

4. The number of the same which can probably be identified is 9,645.

5. The number of the same which cannot probably be identified is 19,111.

6. The number of bodies which have been reinterred to date of report is 20,172.

7. The number of bodies which it is proposed to reinter hereafter is 6,016.

8. The estimated aggregate of expenditures on account of cemeteries and interments in the fourth military district up to the 30th of June, 1868, is \$215,436 55.

9. The expenditures required for this purpose for the next fiscal year are estimated at \$57,533 82.

#### IX.—FIFTH MILITARY DISTRICT.

1. In the fifth military district, under the direction of Brevet Brigadier General Charles H. Tompkins, deputy quartermaster general United States army, who was ably assisted by Captain Charles Barnard, assistant quartermaster volunteers, considerable progress in the work of interments and other cemeterial operations has been made during the past fiscal year, and very little work remains undone in either of the two States comprising this military district, Louisiana and Texas.

This is creditable to the officers concerned, not only because the pestilence of the autumn of 1867 entirely stopped operations there for some months, but also because work was necessarily intermitted while waiting for the decision of the War Department on sundry questions of removal, submitted by the officers who visited the district on tours of inspection.

2. The following tabular statement shows the number of deceased Union soldiers interred in each of the national cemeteries in this district, and that which it is expected will be in the same when finally completed, viz:

No.	Name and locality of cemetery.	No. of bodies interred up to June 30, 1868.	No. of bodies expected in cemetery when finally completed.
1	Monument at Chalmette, near New Orleans, La.	12,230	12,230
2	Baton Rouge, Louisiana .....	2,891	2,891
3	Port Hudson, Louisiana .....	3,779	3,779
4	Pineville, near Alexandria, Louisiana.....	1,487	1,487
5	Fort St. Philip, Louisiana .....	326	326
6	Brownsville, Texas .....	1,763	2,832
7	Galveston, Texas .....	383	.....
8	San Antonio, Texas.....	186	229
	Total.....	23,045	23,774

3. The total number of deceased United States soldiers reported as interred in the fifth military district is 23,774.

4. The number of the same which can probably be identified is 12,073.

5. The number of the same which cannot probably be identified is 11,701.

6. The number of bodies which have been reinterred to date of report is 19,513.



7. The number of bodies which it is proposed to reinter hereafter is 1,112.

8. The estimated aggregate of expenditures, on account of interments and cemeterial operations in the fifth military district up to June 30, 1868, is \$171,326 99.

9. The expenditures required for this purpose for the next fiscal year are estimated at \$97,460.

#### X.—DEPARTMENT OF THE CUMBERLAND.

1. In the department of the Cumberland, (comprising the States of Tennessee and Kentucky,) a vast amount of work, as far as regards interments, collection of mortuary records, improving the cemeteries, &c., has been accomplished by Brevet Major General Thomas Swords, assistant quartermaster general United States army, under whose direction the cemeterial operations were vigorously prosecuted by Brevet Lieutenant Colonel E. B. Whitman, assistant quartermaster volunteers and superintendent of the national cemeteries in the department of the Cumberland.

The work in this department has been of a very difficult and important nature, and it has been discharged with great zeal, fidelity, and success, and it is now very rapidly approaching its completion.

Colonel Whitman has for the last three years devoted himself to this work. He has acquired a greater familiarity with its details than any other man, and no one else has taken or will take the same interest and pains as he has done, particularly in the work of identification of the unknown dead and the preparation and perfection of the proper records. I hope that the government will retain the benefit of his services till the work of the printed records is finished in a revised, corrected, and approximately perfected shape.

2. In the following tabular statement is shown the number of bodies interred in each of the national cemeteries in the department of the Cumberland up to the 30th of June, 1868, and the number which it is expected will be in the same when finally completed, viz:

No.	Name of cemetery.	No. of bodies interred in cemetery up to June 30, 1868.	No. of bodies expected to be in cemetery when finally completed.
1	Knoxville, Tennessee .....	3, 153	3, 153
2	Chattanooga, Tennessee .....	12, 924	12, 964
3	Stone's River, near Murfreesboro', Tennessee .....	6, 310	6, 321
4	Nashville, Tennessee .....	16, 329	16, 529
5	Cumberland River, at Fort Donelson, Tennessee .....	656	756
6	Shiloh, at Pittsburg Landing, Tennessee .....	3, 582	3, 602
7	Mississippi River, near Memphis, Tennessee .....	13, 958	13, 958
8	Union, at Corinth, Mississippi* .....	5, 589	5, 600
9	New Albany, Indiana .....	1, 931	3, 006
10	Camp Nelson, Kentucky .....	2, 856	3, 656
11	Mill Springs, at Logan's Crossroads, Kentucky .....	707	711
12	Lebanon, Kentucky .....	864	884
13	Cave Hill, Louisville, Kentucky .....	3, 906	3, 906
14	Lexington, Kentucky .....	994	994
15	Danville, Kentucky .....	355	355
Total .....		74, 114	76, 395

\* See under fifth military district.

3. The total number of bodies of deceased Union soldiers buried in the department of the Cumberland is reported at 76,395.

4. The number of the same which can probably be identified is 45,189.

5. The number of the same which cannot probably be identified is 31,206.

6. The number of bodies which have been reinterred up to date of report is 74,064.

7. The number of bodies which it is proposed to reinter hereafter is 2,331.

8. The estimated aggregate of expenditures on account of internments and other cemeterial operations in the department of the Cumberland up to the 30th of June, 1868, is \$670,819 15.

9. The expenditures required for this purpose for the next fiscal year are estimated at \$71,267 75.

#### XI.—MILITARY DIVISION OF THE MISSOURI.

1. In the military division of the Missouri, under the direction of Brevet Major General J. L. Donaldson, assistant quartermaster general United States army, and from the 28th of March, 1868, under Brevet Major General L. C. Easton, deputy quartermaster general, the work has progressed very favorably and is rapidly approaching its completion.

2. This military division has been subdivided in three departments: department of the Missouri, department of the Platte, and department of Dakota.

*a.* In the department of the Missouri, (comprising the States of Missouri, Kansas, Colorado Territory, Indian territory, and New Mexico,) Brevet Brigadier General Benjamin C. Card, acting chief quartermaster, has prosecuted the cemeterial work since March 28, 1868, when Brevet Major General L. C. Easton was assigned as chief quartermaster of the military division. In the State of Missouri the work has been ably conducted by Brevet Lieutenant Colonel Charles W. Thomas, acting quartermaster United States army.

Reports have been received from 6 national and 40 post and other cemeteries in this department, showing that 13,681 bodies of United States soldiers are interred therein.

At Jefferson barracks, Missouri, are interred the bodies of 8,601 deceased Union soldiers; at Jefferson City, Missouri, 635; at Springfield, Missouri, 1,519; at Fort Scott, Kansas, 417; and at Fort Leavenworth, Kansas, 702.

It is also proposed to collect together in one large national cemetery, at Fort Gibson, Indian territory, the scattered bodies in that vicinity, estimated at about 2,000.

*b.* In the department of the Platte, (consisting of the States of Iowa, Nebraska, Utah Territory, and the southwestern portion of Dakota Territory,) the work has been prosecuted under the charge of Brevet Brigadier General William Myers, chief quartermaster.

Reports have been received from only 15 points in this department, showing a number of 1,482 deceased Union soldiers buried therein.

The only large collection of bodies in this department is at Keokuk, Iowa, containing 627 graves.

*c.* In the department of Dakota, (consisting of the States of Minnesota, the northeastern portion of Dakota Territory, and Montana Territory,) under the direction of Brevet Brigadier General Samuel B. Holabird, chief quartermaster, very little work has been required, as far as regards cemeterial operations.

From only 10 military posts and other points have reports been received, showing a number of 424 deceased Union soldiers interred in this department.

3. The total number of bodies of United States soldiers reported buried in the military division of the Missouri is 15,587.

4. The number of the same which can probably be identified is 10,450.

5. The number of the same which cannot probably be identified is 5,137.

6. The number of bodies which have been reinterred up to date of report is 8,088.

7. The number of bodies which it is proposed to reinter hereafter is 1,166.

8. The estimated aggregate of expenditures on account of interments and cemeterial operations in the military division of the Missouri, up to the 30th of June, 1868, is \$175,056 48.

9. The expenditures required for this purpose, for the next fiscal year, are estimated at \$70,770 76.

#### XII.—MILITARY DIVISION OF THE PACIFIC.

1. In the military division of the Pacific, under the charge of Brevet Major General Robert Allen, assistant quartermaster general United States army, no cemeterial operations of any consequence have been required, outside of the interment of those few soldiers of the garrisons who might have died at their various posts, during the past fiscal year.

2. This military division is subdivided in three departments: department of California, department of Columbia, and department of Alaska.

*a.* In the department of California, (consisting of the States of California, Nevada, and Arizona Territory,) the work has been under the charge of Brevet Brigadier General R. W. Kirkham, deputy quartermaster general United States army.

From 27 military posts have reports been received, showing that 772 bodies are interred in this department.

*b.* In the department of the Columbia, (consisting of the State of Oregon, Idaho and Washington Territories,) the work has been under the charge of Brevet Colonel A. R. Eddy, chief quartermaster.

Reports from only 4 military posts have been received, showing a number of 377 deceased Union soldiers interred in this department.

*c.* No cemeterial operations have been required in the department of Alaska.

3. The total number of bodies of United States soldiers reported buried in the military division of the Pacific is 1,149.

4. The number of the same which can probably be identified is 1,068.

5. The number of the same which cannot probably be identified is 81.

6. The number of bodies which have been reinterred up to date of report is not reported.

7. The number of bodies which it is proposed to reinter hereafter is not reported.

8. The estimated aggregate of expenditures on account of cemeteries and interments in the military division of the Pacific up to the 30th of June, 1868, is reported at only \$25.

9. The expenditures required for this purpose for the next fiscal year are estimated at \$36,739; which includes estimates for certain stone walls, iron fences, &c., which will not be required.

#### XIII.—GENERAL SUMMARY.

1. The general operations of the quartermasters' department, with regard to the establishment and protection of the national cemeteries

throughout the United States, have during the past fiscal year been eminently successful, and the work is so rapidly approaching its completion that only a few months more are needed to finish it; when all the material, labor and expenditure required heretofore may be dispensed with.

Owing to the vast field of operations of the armies of the United States during the war, it has been found that the collection and the removal of the bodies of the dead has been a much more arduous and expensive task than was at first supposed.

The difficulties encountered in various localities, in the removal of the bodies, have been of no ordinary character. The indications of graves in very many instances were almost entirely obliterated, being grown over with briars, cane, and other weeds; and not unfrequently the soil had been cultivated and the graves so worked over as to render it impossible to locate them from any indications on the surface.

These difficulties were increased by the extremely hostile sentiments of the residents in many localities, not only to those engaged in this sacred work, but even to the dead themselves.

Therefore, although the parties engaged in the work of disinterring have at all times exhibited commendable zeal in the performance of their duties, it is by no means certain that *all* the bodies have been removed from the localities where search has been made for them.

The Quartermaster General has, therefore, in various instances expressed his desire to receive all and any information from friends or comrades that may lead to the recovery and identification of any bodies of deceased Union soldiers, so that there may not be a single body of a deceased soldier which does not receive the grateful care and protection of the government for which he sacrificed his life.

2. Reports have been received from 72 national cemeteries, and from 320 local and post cemeteries.

3. The total number of bodies of United States soldiers reported interred throughout the United States is 316,233.

4. The number of the same which can probably be identified is 175,764, or about  $\frac{5}{9}$  of the whole number.

5. The number of the same which cannot probably be identified is 140,469, or about  $\frac{4}{9}$  of the whole number.

6. The number of bodies which have been reinterred up to date of report is 257,250, or about  $\frac{8}{9}$  of the whole number.

7. The number of bodies which it is proposed to reinter hereafter is 14,283.

Thus the total number of bodies which will have been reinterred in all is 271,533, or about  $\frac{7}{9}$  of the whole number of bodies.

8. The estimated aggregate expenditure made by the quartermasters' department, on account of interments and other cemeterial operations up to June 30, 1868, is \$2,801,352 49.

9. The expenditures required for this purpose for the next fiscal year are estimated at \$553,655 84.

10. The aggregate amount of expenditures, past and future, will thus appear to be \$3,355,008 33.

11. It is also reported that the remains of 21,336 rebel prisoners of war have been interred, and their graves properly cared for by this department. (This number is not, however, counted in the above total.)

12. Thirty-six thousand eight hundred and sixty-eight graves (of the whole number of 316,233) are identified as those of Union prisoners of war, who died while held by the rebels; but it is believed that a larger number than this of the Union prisoners died in the prison pens of the

south; the graves of those in excess of the above number not having as yet been found or identified.

#### XIV.—LAND TITLES AND TITLE PAPERS.

1. By the provisions of section 18 of an act of Congress, entitled "An act to define the pay and emoluments of certain officers of the army, and for other purposes," approved July 17, 1862, the President of the United States was authorized to purchase cemetery grounds, and cause them to be securely enclosed, to be used as a national cemetery for the soldiers who shall die in the service of their country.

Again, by the provisions of section 1 of an act of Congress, entitled "An act making appropriations for sundry civil expenses of the government for the year ending June 30, 1867, and for other purposes," approved July 28, 1866, \$50,000 were appropriated for the establishment of national cemeteries, and for the purchase of sites for the same at such points as the President of the United States may deem proper, and for the care of the same.

On the 13th of April, 1866, a joint resolution was passed by Congress authorizing and requiring the Secretary of War to take immediate measures to preserve from desecration the graves of the soldiers of the United States who fell in battle or died of disease in the field, and in hospital, during the war of the rebellion, to secure suitable burial places in which they may be properly interred, and to have the grounds enclosed, so that the resting places of the honored dead may be kept sacred forever.

By the provisions of sections 4 and 5 of an act of Congress, entitled "An act to establish and to protect national cemeteries," approved February 22, 1867, it was made the duty of the Secretary of War to purchase from the owner or owners thereof, at such price as may be mutually agreed upon between the Secretary and such owner or owners, such real estate as in his judgment is suitable and necessary for the purpose of establishing national cemeteries, and to obtain from said owner or owners title in fee simple for the same. And in case the Secretary of War shall not be able to agree with said owner or owners upon the price to be paid for any real estate so needed, or to obtain from said owner or owners title in fee simple for the same, the Secretary of War is authorized to enter upon and appropriate any real estate which, in his judgment, is suitable for the above purposes.

And the Secretary of War, or the owner or owners of any real estate thus entered upon and appropriated, were further authorized to make application for an appraisement of said real estate thus entered upon and appropriated to any district or circuit court within any State or district where such real estate is situated; and the said court was required, upon such application, and in such mode and under such rules and regulations as it may adopt, to make a just and equitable appraisement of the cash value of the several interests of each and every owner of the real estate and improvements thereon entered upon and appropriated for the purpose of national cemeteries.

In obedience to the foregoing acts of Congress the Quartermaster General has procured good and valid titles to the land occupied by 55 national cemeteries, as specified in the accompanying statement, marked E. One portion of these lands has been purchased by the government, another portion has been donated to it, still another portion of it was original military reservations, and finally some lots of land have been obtained by appraisement under the act of February 22, 1867.

This latter act has, however, in almost every instance where applied,

failed in its results. It was undoubtedly the intention of the framers of the act to prevent the owners of certain property and real estate, actually required for the use of the government, from taking advantage of such necessity, and from obtaining exorbitant prices from the government. In almost every instance, however, where a board of appraisement have fixed the value of the land in litigation, such valuation has been exorbitant, and representing double, treble, or quadruple the value of the land. Notwithstanding the injustice and injury to the government caused by this course of action, the provisions of this act make it mandatory upon the Secretary of War to pay the amount of such appraised value upon the decree of the court.

The injustice created thereby has been evident in the case of John Dameron, of Knoxville, Tennessee, from whom the government appropriated about ten acres of land, which was generally valued at from \$100 to \$150 per acre, but which the board of appraisement valued at \$500 per acre; and also in the case of 129.53 acres of land of J. Ruols and others, appropriated by the government at Chattanooga, Tennessee, which land was of a generally conceded value of \$25 to \$50 per acre, but which the board of appraisement valued at \$400 per acre.

The Quartermaster General could not conscientiously recommend to the honorable Secretary of War that these appraised prices should be ordered paid.

In the Knoxville case, however, upon the opinion of the Judge Advocate General, of June 24, 1868, the honorable Secretary of War ordered the amount mentioned above (\$500 per acre of land, or \$5,000 for the whole tract of 10 acres,) to be paid to the owner of the land.

It is to be hoped that Congress, at its next session, may modify the act of February 22, 1868, either by an amendment to the effect that the government shall have the right to select one-half of the members of the board of appraisal, or by such other amendments as may meet the necessities of the case and protect the interests of the government.

2. By the provisions of the joint resolution of Congress approved September 11, 1841, the title papers pertaining to land purchased by the government cannot be perfected without the examination and approval of the Attorney General of the United States.

In all cases the papers pertaining to the title of any tract of land were at once forwarded, immediately upon their being received in this office, through the honorable Secretary of War to the honorable Attorney General for his opinion as to the validity of the titles vested in the United States by the various deeds.

The pressure of business in the Attorney General's office, it is supposed, has prevented him from giving these papers the desirable prompt action; thus causing a great delay in the perfection of the papers, delaying the payment of the purchase money, and delaying the improvements on such tracts of land, as it was thought improvident to erect fences, build lodges, &c., of permanent materials, on ground not actually the property of the United States.

These title papers, in cases to the number of now about 20 in all, have been pending seven months (on an average) in the Attorney General's office; in some instances even as much as sixteen months.

#### XV.—GRAVE MARKS, FENCES AND LODGES.

On the 19th of December, 1867, Brevet Major General D. H. Rucker, acting Quartermaster General, transmitted a report to the honorable

Secretary of War on the operations for the establishment and protection of national cemeteries, and made the following recommendations, viz:

1st. That wherever wooden fences, headboards, and lodges of suitable character are now standing, they be permitted to remain until they require renewal from decay.

2d. That proposals be speedily invited by the Quartermaster General for cast-iron (zinked) headblocks of the pattern enclosed, in quantities sufficient to mark all the graves not now supplied with proper wooden headboards; and that the contract for them be let, and the blocks erected without delay, (provided it shall be deemed too expensive to erect stone blocks, after definitely ascertaining the true cost of the same.)

3d. That the Quartermaster General be authorized to erect a permanent fence of iron or stone, as may be cheapest, (by contract, wherever practicable and expedient,) at such of the permanent national cemeteries not now enclosed with a good wooden fence as may be in his judgment expedient.

4th. That the Quartermaster General be authorized to erect a permanent lodge of iron, brick, or stone, as may be cheapest, (by contract, wherever practicable and expedient,) at such of the national cemeteries requiring a permanent superintendent, and not now provided with a suitable wooden lodge, as may be in his judgment expedient.

The cost of the permanent improvements thus recommended would be: (a) for permanent headblocks about \$136,000; (b) for permanent fences about \$247,540; and (c) for permanent lodges about \$150,000, or a total cost of \$533,540.

The said report was returned to this office on the 3d of January, 1868, with the following endorsement: "Erect the fences and lodges, but do nothing about the headstones. By order of the Secretary of War. (Signed) ED. SCHRIEVER, Inspector General."

In compliance with the foregoing instructions, authority was therefore granted for the erection of permanent fences and lodges wherever strictly required.

The enclosed statement, marked C, shows the national cemeteries where, among other improvements, wooden headboards have been placed over the graves; and where either wooden or permanent lodges have been built; and where either wooden or iron fences or stone walls have been erected.

#### XVI.—MISCELLANEOUS IMPROVEMENTS.

1. A flagstaff has been, or is to be, erected at each national cemetery which is located at a distance from a military post, or where the flag of the garrison cannot be distinctly seen from the cemetery grounds.

2. For the accommodation of the superintendents and of visitors, and for irrigating purposes, it has been found expedient to procure a supply of water at each cemetery. Wherever there were no large natural springs or cisterns, it was generally found practicable to bore the so-called "drive" or patent "tube and pipe" wells, which in all instances where employed have given entire satisfaction. (See copy of report from Brevet Lieutenant Colonel James M. Moore, quartermaster United States army, enclosed, marked F.)

3. The graves in the various cemeteries have generally been arranged in a regular and uniform manner, either in rows, or circles, or regular curved lines, and at equal distances, (never less than three feet from centre to centre;) and mounds of the full length and breadth of the graves have in most instances been raised over the graves to a height of

10 or 12 inches. This is to provide for settling, after which the ground will be level. Wherever practicable, efforts have been made to group the dead from the same regiments and States together, so as to admit of the subsequent erection of monuments by their friends.

4. Avenues, paths, and carriage-ways have been laid out in almost every national cemetery; paths between the rows of graves in the sections; avenues between the sections, and carriage-ways generally surrounding and diagonally crossing the cemetery.

These avenues, roads, and paths have usually been gravelled; in some of the southern cemeteries shells have taken the place of gravel.

5. There being no appropriation under the charge of this department for the purchase of trees and shrubbery, the Quartermaster General has been prevented from authorizing expenditures of money for this kind of ornamentation; but the officers and superintendents in charge of the various cemeteries have repeatedly been instructed to set out such trees and shrubs as could be procured from neighboring forests at small expense to the government; besides which, a great many trees, shrubs, and exotics have been donated by citizens residing near the cemeteries, and by friends of the deceased.

It is so difficult and expensive in many cases to procure such trees and shrubs as are necessary by hired labor from the neighboring forests, that I recommend that Congress be asked to appropriate a moderate sum (say \$25,000) to the purchase of trees and shrubs, which, if set out now, will give a grateful shade to those that come after us.

The natural beauty of some of the national cemeteries, such as Marietta, Georgia, Chattanooga, Shiloh, and Nashville, Tennessee, and many others is hardly surpassed and rarely equalled by any of the larger city cemeteries in the United States.

6. It has, of course, been impossible for the government to erect very costly grave marks or monuments at each grave. The question of the material to be used for the permanent grave marks to be erected at each soldier's grave has not been decided as yet by the honorable Secretary of War. The materials proposed are, (besides the common wooden headboards,) 1st, cast-iron zinc'd headblocks; (*a*) square and hollow, with inscription on the top; and (*b*) square and flat, with inscription on the side; 2d, enameled iron blocks; and 3d, headstones of either marble, granite, slate or magnesian limestone.

The board of officers selected by the Secretary of War, May 7, 1867, to consider the subject of headstones or headblocks, in their report dated May 9, 1867, recommended that the zinc'd cast-iron headblock (square and hollow) referred to above, is the best, most durable, most economical, and most appropriate form of headblock.

Public opinion, however, does not seem to favor this form of grave-mark, but to prefer those of either marble, granite, or any similar kind of stone. (See the debates in Congress, January 17, and February 14, 1867.)

7. On the 10th of March, 1868, the General commanding the armies of the United States informed the acting Quartermaster General that the Secretary of the Treasury had in his possession certain granite columns which he proposed to transfer to the War Department free of charge for use as monuments over soldiers' graves, in some of the largest national cemeteries, if so desired by the War Department.

These columns appertained to the "Old Pennsylvania Bank Building," Pennsylvania, (lately used as the United States appraisers' stores. It was informally stated that these columns, though of high cost, were not adapted to the present uses of the Treasury Department, nor were they suited for the use of private individuals.



The acting Quartermaster General proposes to recommend that bronze ornaments (representing a spread eagle) be purchased, to be placed on the top of each of these columns, if they were thus donated to the department.

On the 17th of April, 1868, the acting Quartermaster General recommended to the honorable Secretary of War that application be made to the honorable Secretary of the Treasury for the donation of these columns.

On the 8th of July last such application was made by the honorable Secretary of War to the honorable Secretary of the Treasury, who, in his reply, dated July 29, ultimo, states that the Hon. Charles O'Neill had introduced a joint resolution in Congress, which resolution had become a law; by the terms of which the Secretary of the Treasury had been directed to transfer these columns to different associations in the various States, so that the donation could not be made to the War Department.

8. It may here be stated that subsequent to the close of the past fiscal year and on the 29th of July, 1868, the Quartermaster General made application to the War Department for a number of guns and projectiles for the purpose of ornamenting national cemeteries, which request was approved by the honorable Secretary of War, and on the 24th of August, 1868, the Chief of Ordnance was requested to issue about 150 guns, and about 3,000 projectiles for the purposes named.

These guns are designed to be set up in the form of a monument; each one being set in a block of stone and held in position by a cast-iron ring, or by four iron bolts; with 21 shots to each gun (grouped in four piles of five each, with one on the top of the gun.)

9. Nearly all the cemeteries have been well drained; brick drains, culverts, and gutters have been built to lead the water off, and to keep the ground dry, and also to prevent the washing of the roads, and of the sections by heavy rains.

This is, perhaps, the most important work connected with the future preservation and future cost of all the national cemeteries; too much care cannot be given to it; and liberal expenditures now for this purpose will be the truest economy in the end.

A reference to my reports of inspection of sundry of the cemeteries in Tennessee in the summer of 1867, will show more fully my ideas on this subject, as well as many similar matters of detail.

#### XVII.—RECORDS AND RECORD BOOKS.

A great deal of labor has been bestowed during the past fiscal year, both in this office and in the offices of the various chief quartermasters, upon the work of collecting and arranging the names of the known dead, together with all attainable facts bearing upon the identification of the unknown, and preserving them in permanent printed form in the "rolls of honor," published by the Quartermaster General.

Prior to July 1, 1867, 12 volumes of the "Roll of Honor" had been published, containing the names of about 101,128 deceased Union soldiers. Since then, and up to the end of the past fiscal year, six more volumes have been prepared and published by this office, containing the names of about 94,661 deceased soldiers. There have thus in all been published up to date 18 volumes of the "Roll of Honor," containing the names of about 195,789 deceased soldiers.

The following shows the number of names of soldiers contained in each of the 18 volumes of the "Roll of Honor," the number of the general

order by which each volume is designated, the date of its issue, and the places of interment of the deceased:

Volume.	No. of general order.	Date of general order, Quartermaster General's office.	Places of interment.	No. of pages.	No. of names contained in volume.
I	35	June 15, 1865	Washington, D. C.	197	11,007
II	58	Oct. 6, 1865	Wilderness and Spottsylvania Court house, Virginia.	20	722
III	69	Nov. 25, 1865	Andersonville, Georgia.	225	12,823
IV	10	Jan. 27, 1866	Alexandria, Virginia.	69	3,601
V	31	May 1, 1866	Fortress Monroe and Hampton, Virginia.	56	2,655
VI	32	May 1, 1866	Sundry districts in Texas.	35	1,440
V I	58	July 20, 1866	Maine, Maryland, Minnesota, Pennsylvania, Rhode Island, &c.	138	7,450
VIII	71	Sept. 5, 1866	Arkansas, California, Indiana, Michigan, Minnesota, &c.	126	6,870
IX	82	Oct. 8, 1866	New Hampshire, Massachusetts, Connecticut, &c.	244	15,567
X	93	Dec. 3, 1866	Wisconsin, New York, Pennsylvania, Iowa, Maryland, &c.	212	12,008
XI	96	Dec. 11, 1866	Chattanooga, Murfreesboro', and Knoxville, Tennessee.	443	17,433
XII	15	Mar. 8, 1867	New York, New Jersey, Pennsylvania, Maryland, Virginia, Illinois, Missouri, Iowa, Arkansas, Texas, and Utah Territory.	173	9,552
XIII	52	Aug. 27, 1867	Cypress Hills, New York, &c.	135	7,452
XIV	7	Feb. 20, 1868	Union prisoners throughout the south.	337	11,015
XV	9	Feb. 26, 1868	Antietam, Maryland, and Virginia.	367	18,300
XVI	19	June 8, 1868	Gettysburg, Pennsylvania, department of the east, &c.	.....	20,441
XVII	20	June 9, 1868	Cemeteries in Kentucky.	516	14,555
XVIII	24	June 19, 1868	Fort Harrison, Virginia, &c.	.....	22,900
Total .....				.....	195,789

It is supposed that there yet remain to be printed the records of about 114,000 graves of deceased Union soldiers and prisoners of war, thus making an aggregate of 310,000 graves; of which number the names of about 100,000 occupants will not at present, if ever, be recovered.

As no "index of places" had been prepared for, or incorporated in, the first 13 volumes of the "Roll of Honor," and as it entailed a great deal of labor to properly use these volumes, the Quartermaster General, in a circular dated February 21, 1868, published an alphabetical index to Rolls of Honor I to XIII, inclusive.

It was also found of great assistance and information to publish in general orders, "Statements of the final disposition of bodies of Union soldiers that have been removed to some of the national cemeteries in the south and west."

During the past fiscal year three volumes of these "statements" were published, embracing information concerning 140,100 graves. These volumes are as follows:

No. of volume.	No. of general orders.	Date of general orders, Quartermaster General's office.	No. of pages.	No. of bodies.
I	8	February 24, 1868 .....	30	47,368
II	21	June 11, 1868 .....	60	57,155
III	33	August 13, 1868 .....	40	35,577
Total .....			130	140,100

The provisions of section 1 of the act of Congress of February 22, 1867, to establish and to protect national cemeteries, enacted that a register of burials should be kept at each cemetery and at the office of the Quarter-

master General, which register is to set forth the name, rank, company, regiment, and date of death of the officer or soldier; or if unknown it shall be so recorded.

In compliance with these provisions record books (varying in size from one-half quire to 12 quires each) were prepared in the Government Printing Office, and have been sent to each of the cemeteries. The superintendents or officers in charge have been directed to have these books filled out at once in a neat and legible hand, and to have them at all times ready for the inspection of visitors at the cemetery.

It is proposed to furnish the superintendents and officers with fire-proof iron chests for the safe preservation of these records.

#### XVIII.—SUPERINTENDENTS OF CEMETERIES.

The provisions of section 2 of the act of February 22, 1867, above referred to, enacted that the Secretary of War appoint a meritorious and trustworthy superintendent for each of the national cemeteries, who shall be selected from enlisted men of the army disabled in service, and who shall have the pay and allowances of an ordinary sergeant, and shall reside at the cemetery for the purpose of guarding and protecting the same, and give information to parties visiting it.

In compliance with these provisions superintendents have been appointed by the Secretary of War to 62 of the national cemeteries.

The following is a list of names of the superintendents of national cemeteries, and the cemeteries to which they have been assigned, viz:

1. *Department of the East*.—John Bryson, Cypress Hills, New York; Jacob M. Berringer, Philadelphia, Pennsylvania.

2. *Department of Washington*.—A. Armbrecht, Annapolis, Maryland; T. R. East, Arlington, Virginia; R. V. Fitzgerald, Grafton, Virginia; F. Kaufman, Alexandria, Virginia; J. McCauley, Harmony, District of Columbia; P. Callahan, United States military asylum, D. C.; A. McCartney, Union, D. C.

3. *Depot of Baltimore*.—T. Lewis, Loudon Park, Maryland.

4. *First military district*.—J. Delacroy, City Point, Virginia; C. W. Hoyme, Cold Harbor, Virginia; A. Barry, Culpeper Court-house, Virginia; F. O'Donohue, Danville, Virginia; W. Wright, Fort Harrison, Virginia; E. McMahon, Fredericksburg, Virginia; A. J. Potter, Glendale, Virginia; J. Browning, Hampton, Virginia; A. Miller, Poplar Grove, Virginia; P. Hart, Richmond, Virginia; J. Kelley, Seven Pines, Virginia; H. Clark, Staunton, Virginia; P. Sedgwick, Winchester, Virginia; E. Robason, Yorktown, Virginia.

5. *Second military district*.—G. Griffin, Beaufort, South Carolina; R. Wood, Florence, South Carolina; W. Dougherty, Newbern, North Carolina; G. A. Dichtl, Raleigh, North Carolina; C. H. Proudft, Salisbury, North Carolina; M. Dellingham, Wilmington, North Carolina.

6. *Third military district*.—H. Williams, Andersonville, Georgia; C. M. O'Regan, Barraneas, Florida; J. G. Hughes, Marietta, Georgia.

7. *Fourth military district*.—J. Nutting, Fayetteville, Arkansas; D. Allen, Fort Smith, Arkansas; J. Hill, Little Rock, Arkansas; A. J. Kendall, Natchez, Mississippi; V. B. St. John, Vicksburg, Mississippi.

8. *Fifth military district*.—H. G. Trimble, Alexandria, Louisiana; W. H. Taylor, Baton Rouge, Louisiana; G. Fitzgerald, New Orleans, Louisiana; T. Ganson, Port Hudson, Louisiana; A. Dean, Brownsville, Texas.

9. *Department of Cumberland*.—E. Schneider, Camp Nelson, Kentucky; F. Buntley, Chattanooga, Tennessee; J. Barrigan, Corinth, Mississippi;

A. B. Tuttle, Fort Donelson, Tennessee; T. Ridge, Knoxville, Tennessee; O. Gohe, Lebanon, Kentucky; J. Burke, Logan's Cross-roads, Kentucky; W. Hele, Louisville, Kentucky; J. E. Carl, Memphis, Tennessee; L. S. Doolittle, Murfreesboro', Tennessee; W. A. Graham, Nashville, Tennessee; P. Jecko, Shiloh, Tennessee.

10. *Department of the Lakes.*—J. Trindle, Indianapolis, Indiana; A. S. Dial, Mound City, Illinois.

11. *Military division of the Missouri.*—S. A. Beeman, Jefferson Barracks, Missouri; A. McAlpine, Springfield, Missouri; H. Brown, Jefferson City, Missouri; A. Hyde, Fort Scott, Kansas; H. M. Fogg, Fort Leavenworth, Kansas.

A descriptive record, containing the prior military history of the superintendent, and remarks of the quartermaster under whose charge he has been placed, relative to his sobriety, education, moral habits, industry, &c., is kept in this office.

In connection with the matter of superintendents, I have the honor to state that there are at least 12 of the national cemeteries, each of which will contain from 10,000 to 25,000 deceased Union soldiers; the area of each of which is between 25 and 75 acres; and on each of which the government has expended for permanent improvements from \$50,000 to \$100,000, or more.

To this class of national cemeterie belong the following, viz:

Number.	Name and location of national cemetery.	No. graves now reported interred therein.
1	Arlington, Virginia, (department of Washington) .....	15,547
2	Fredericksburg, Virginia, (first military district) .....	15,300
3	Salisbury, North Carolina, (second military district) .....	12,112
4	Beaufort, South Carolina, (second military district) .....	10,000
5	Andersonville, Georgia, (third military district) .....	13,705
6	Marietta, Georgia, (third military district) .....	10,000
7	New Orleans, Louisiana, (fifth military district) .....	12,230
8	Vicksburg, Mississippi, (fourth military district) .....	17,012
9	Chattanooga, Tennessee, (department of Cumberland) .....	12,964
10	Nashville, Tennessee, (department of Cumberland) .....	16,529
11	Memphis, Tennessee, (department of Cumberland) .....	13,958
12	Jefferson Barracks, Missouri, (military division of the Missouri) .....	8,601

The qualifications requisite for the supervision and the protection of government property of so great value and importance cannot ordinarily be expected from the class of men now authorized by the act referred to.

I would therefore recommend that 12 superintendents of a higher class, in the place of 12 of those now authorized, be appointed with the pay and subsistence of a second lieutenant of infantry, to be selected from officers of the army disabled in service.

The yearly cost of the whole superintendence will be only slightly increased by giving 12 of them a higher grade and better pay; and the public service will gain materially by obtaining better superintendents for such cemeteries.

The excess of the cost of these 12 superintendents, as proposed, over that of the 12 now authorized, will be only \$4,200 a year, as follows, viz:

Cost of 12 proposed superintendents, at pay and subsistence of second lieutenants of infantry, at \$77 78 per month each, or \$933 33 per annum.....	\$11, 200 00
Cost of 12 superintendents, as now authorized, at pay and allowances of ordnance sergeants, at \$48 41 per month each, or \$583 33 per annum.....	7, 000 00
Excess of cost proposed per annum.....	<u>4, 200 00</u>

A lodge for quarters, and fuel in kind, are already provided by government, the expense of which will therefore be the same in both cases.

I would, therefore, respectively suggest that recommendations be made to the honorable Secretary of War, that he make application to the proper committee of Congress to amend section two of the act of Congress of February 22, 1867, entitled "An act to establish and to protect national cemeteries," which act is above referred to, by inserting after the words "visiting the same," in the ninth line of the second section of the said act, the following words, viz:

*Provided*, That the Secretary of War, if it be in his judgment expedient, may select 12 of the above-named superintendents from commissioned officers in the army, disabled in service, who shall receive the pay and subsistence of second lieutenants of infantry, to be assigned to the 12 national cemeteries most needing the services of an energetic and reliable superintendent.

XIX. Accompanying this report and marked D, is a schedule of actual, or contracted, or estimated cost of various items connected with the disinterment and reinterment of deceased Union soldiers.

XX. 1. Brief histories of the following of the more important cemeteries located throughout the United States are also enclosed, in a package marked I, viz:

- |                                    |                                     |
|------------------------------------|-------------------------------------|
| 1-7. Cemeteries around Phila., Pa. | 32. Brownsville, Texas.             |
| 8. Cypress Hills, New York.        | 33. San Antonio, Texas.             |
| 9. Gettysburg, Pa.                 | 34. Galveston, Texas.               |
| 10. Beverly, N. J.                 | 35. Louisville, Ky.                 |
| 11. Finn's Point, N. J.            | 36. Lebanon, Ky.                    |
| 12. Chester, Pa.                   | 37. Chattanooga, Tenn.              |
| 13. Arlington, Va.                 | 38. Corinth, Miss.                  |
| 14. Antietam, Md.                  | 39. Pittsburg Landing, Tenn.        |
| 15. City Point, Va.                | 40. Knoxville, Tenn.                |
| 16. Richmond, Va.                  | 41. Jefferson Barracks, Mo.         |
| 17. Danville, Va.                  | 42. Jefferson City, Mo.             |
| 18. Culpeper Court House, Va.      | 43. Springfield, Mo.                |
| 19. Winchester, Va.                | 44. Fort Leavenworth, Kansas.       |
| 20. Cold Harbor, Va.               | 45. Keokuk, Iowa.                   |
| 21. Yorktown, Va.                  | 46. Mound City, Ill.                |
| 22. Staunton, Va.                  | 47. Indianapolis, Ind.              |
| 23. Fort Harrison, Va.             | 48. Cincinnati, Ohio.               |
| 24. Glendale, Va.                  | 49. Fort Smith, Ark.                |
| 25. Raleigh, N. C.                 | 50. Fayetteville, Ark.              |
| 26. Wilmington, N. C.              | 51. Chalmette, n'r New Orleans, La. |
| 27. Salisbury, N. C.               | 52. Port Hudson, La.                |
| 28. Beaufort, S. C.                | 53. Baton Rouge, La.                |
| 29. Florence, S. C.                | 54. Alexandria, La.                 |
| 30. Andersonville, Ga.             | 55. Fort Saint Philip, La.          |
| 31. Millen, Ga.                    | 56. Fort Scott, Kansas.             |

2. The original reports of the chief quartermasters of the various military departments, districts, and divisions, in reply to a circular from this office, dated April 14, 1868, and calling for schedules and statements relative to the cemeterial operations during the fiscal year ending June 30, 1868, are also enclosed herewith in a package marked G; together with a tabular statement of the cemeterial operations for the fiscal year, compiled from the annual reports of the chief quartermasters, marked A.

3. Enclosed is also a statement of interments and expenditures made in the various departments, military districts, and military divisions, at national cemeteries, during the fiscal year ending June 30, 1868, and also showing past and future operation, (marked H,) which differs slightly from the foregoing statement A, only in being compiled from the monthly reports of progress furnished by the officers in charge of the cemeteries.

4. Further accompanying this report (and marked K) is a map of the United States, prepared in this office, and showing the national cemeteries and various other soldiers' burial grounds throughout the same.

5. Interior plans of some of the national cemeteries are also enclosed herewith, in a package marked L.

6. I have the honor further to enclose a printed sheet (marked M) containing a selection of mottoes suitable to be erected in the national cemeteries.

7. I have the honor further to enclosed a schedule (marked N) containing the number of *known* dead soldiers from each State and Territory, with the approximate proportion of the unknown, as contained in the various national cemeteries.

This schedule was prepared in conformity with a circular issued to the chief quartermasters of departments, districts, &c., which circular was based on a letter of mine, dated Memphis, Tennessee, July 30, 1867, wherein I recommended that some officer of high rank and well-known character be directed to apply to the various State governments for an appropriation of money for the decoration of the cemeteries by placing suitable monuments therein; the appropriation from each State to be based upon the number of her dead, and to be expended at those cemeteries where the largest number of her dead are interred, and not to be scattered over the various small cemeteries.

This schedule is not complete, but it is confidently believed that the relative proportion of the dead from the various States and Territories will hold good, although the total numbers would be somewhat increased by a complete report.

XXI. During the months of April to September inclusive, I made a tour of inspection of the principal national cemeteries in the States of Georgia, Alabama, Louisiana, Mississippi, and Tennessee, my reports of which will be found on the files of the department.

During the same time, and later, Brevet Major General Lorenzo Thomas, Adjutant General of the army, was sent on a similar duty by the Secretary of War, (in compliance with section 2 of the act to establish and protect national cemeteries, approved February 22, 1867.)

Many of his reports were referred to this department at the time by the War Department; and it is understood that a full and connected view of his whole inspection, with plans of the cemeteries, has been submitted by him to the honorable Secretary of War.

XXII. Such general ideas on the subject of national cemeteries, and such special hints or methods on particular points as have suggested themselves to me while I have been in charge of this work, I shall endeavor to make the subject of a special letter: they may, however

mostly be found scattered through my various reports of inspection of the cemeteries in the southwest.

XXIII. In concluding this report, I would respectfully bear my cordial testimony to the value of the services of the gentlemen who have been connected with this branch as clerks, particularly of those of Mr. George A. Meyer, whose methodical habits and clear and intelligent head have kept the work and files of the branch in excellent condition, and to whose industry this report owes much of its value; of those of Mr. Emil Arelander, draughtsman; of Mr. Ed. P. House, corresponding clerk; of Mr. George W. Taylor, and of others, who have all shown themselves faithful and competent servants of the government.

Mr. Frank L. James, of Mobile, Alabama, whom I employed as clerk and draughtsman on my inspection tour, also rendered very valuable service.

XXIV. Finally, I would remark that the national cemeteries, as a whole, will reflect credit upon the government and upon the officers connected with their construction.

The country will not grudge the expenditure which they have involved.

But, in order that it may not be thrown away, great care must be used, and some additional expense must be incurred *now*, or within the next 15 months, to protect the roads and grounds from washing, by drainage; and to secure a good turf, (in itself the best guard against washing.)

To fulfil the just expectations of the public, trees and shrubs should be set out *now*, in order that they may be growing in this generation for the benefit of the next.

The country also will not grudge money properly expended in perfecting and in reprinting, in a consolidated form, the records of the dead, and it is to be hoped that no false economy will prevent the completion of this work now, which will be so invaluable in future years.

I have the honor to be, very respectfully, your obedient servant,

CHAS. WM. FOLSOM,

*Brevet Colonel and A. Q. M. Vols., in charge of Cemeteries.*

Brevet Brig. Gen. ALEX. J. PERRY,

*Quartermaster U. S. Army, Washington, D. C.*

*Tabular statement of cemeterial operations in the United States of America for the fiscal year ending June 30, 1868, compiled under the direction of Brevet Colonel Charles W. Folsom, assistant quartermaster volunteers, according to the annual reports of the various officers in charge.*

Running number.	Military departments, districts, and divisions.	Number of national cemeteries in each district, department, and division.	Number of bodies of Union soldiers now interred in national cemeteries in each district, department, and division.	Number of bodies of Union soldiers expected finally to be in nat'l cemeteries in each district, dept't, and division.	Number of cemeteries other than national in each district, &c.	Number of bodies of Union soldiers now in cemeteries other than national, in each district, &c.	Number of bodies not yet interred in cemeteries.	Total number of bodies of Union soldiers in department, (district, division, &c.)	Number of bodies of Union soldiers which can be identified.	Number of bodies of Union soldiers which cannot be identified.	Total number of bodies of rebel prisoners of war in department, (district, division, &c.)	Number of bodies reinterred up to June 30, 1868.	Number of bodies proposed to be reinterred hereafter.	Total number of bodies which will have been reinterred in all.	Aggregate of expenditures reported to June 30, 1868.	Estimate of expenditures for next fiscal year ending June 30, 1869.	Aggregate amount of expenditures past and future.
1	Department of the East . . . .	4	10, 148	10, 623	96	3, 782	20	13, 950	11, 824	2, 126	5, 338	736	150	886	\$34, 125 76	\$55, 090 91	\$89, 216 67
2	Department of Washington . . .	8	33, 535	35, 453	1	76	1, 994	35, 529	28, 085	7, 444	3, 039	31, 033	1, 918	32, 951	395, 262 84	34, 888 09	430, 150 93
3	Depot of Baltimore* . . . . .	1	1, 785	1, 785	1	229	-----	2, 014	1, 828	186	-----	-----	-----	-----	110, 403 25	-----	10, 468 25
4	Department of the Lakes . . . .	3	6, 286	6, 625	120	4, 216	-----	10, 502	7, 660	2, 842	10, 494	9, 630	748	9, 778	131, 362 87	5, 545 00	136, 907 87
5	First military district . . . . .	14	50, 854	51, 407	-----	-----	553	51, 407	18, 428	32, 979	-----	50, 854	553	51, 407	631, 140 24	43, 100 00	674, 240 24
6	Second military district . . . . .	6	31, 241	31, 440	2	94	199	31, 534	8, 474	23, 060	-----	31, 241	189	31, 430	149, 984 65	24, 925 00	174, 909 65
7	Third military district . . . . .	4	25, 519	25, 636	-----	-----	117	25, 636	21, 040	4, 596	-----	12, 519	100	12, 619	216, 343 71	56, 335 51	272, 679 22
8	Fourth military district . . . . .	5	22, 740	28, 756	2	1, 015	6, 016	28, 756	9, 645	19, 111	30	20, 172	6, 016	26, 188	215, 436 53	57, 533 82	272, 970 37
9	Fifth military district . . . . .	3	23, 045	23, 774	2	135	594	23, 774	12, 073	11, 701	132	19, 513	1, 112	20, 625	171, 326 99	97, 460 00	268, 786 99
10	Depar't of the Cumberland . . .	12	68, 859	71, 140	3	5, 255	2, 281	76, 395	45, 189	31, 206	-----	74, 064	2, 331	76, 395	670, 819 15	71, 267 75	742, 086 90
11	Military dist. of the Missouri .	7	12, 911	14, 761	64	2, 397	279	15, 587	10, 450	5, 137	2, 303	8, 088	1, 166	9, 254	175, 056 48	70, 770 76	245, 827 24
12	Military dist. of the Pacific . .	-----	-----	-----	29	1, 141	8	1, 149	1, 068	81	-----	-----	-----	-----	25 00	26, 739 00	36, 764 00
	Total . . . . .	72	286, 923	301, 400	320	18, 240	12, 061	316, 233	175, 764	140, 469	21, 336	257, 250	14, 283	271, 533	2, 801, 352 49	553, 655 84	3, 355, 008 33

\* No report received.

† So reported in letter of March 28, 1867.

Respectfully submitted to Brevet Brigadier General A. J. Perry, quartermaster United States army:  
A true copy:

WASHINGTON, D. C., August 27, 1868.

C. W. FOLSOM,  
Brevet Colonel and Assistant Quartermaster Volunteers.



## Tabular statement showing the permanent improvements established

Number and name of cemetery.	Lodge.	Fence.	Wall.	Flagst'ff.	Gutters.	Drains.	Avenues and trees.	Cisterns or wells.
DEPARTMENT OF THE EAST.								
1. Finn's Point, N. J.	None	Picket	None	None	None	None	None	None
2. Whitehall, (Bristol,) Pa	do.	do.	do.	do.	do.	do.	do.	do.
3. Beverly, N. J.	do.	do.	do.	do.	do.	do.	do.	do.
4. Evergreen, Ct.	do.	Iron	do.	do.	do.	do.	do.	do.
5. Fort Hamilton, N. Y.	do.	Picket	do.	do.	do.	do.	do.	do.
6. Willet's Point, N. Y.	do.	do.	do.	do.	do.	do.	do.	do.
7. Sundy Hook, N. Y.	do.	Board	do.	do.	do.	do.	do.	do.
8. Cypress Hills, N. Y.	Yes.	None	do.	Yes.	Yes.	Yes.	Yes.	Yes.
9. Fort Columbus, N. Y.	None	Iron	do.	do.	None	None	None	None
10. Fort Porter, N. Y.	do.	Picket	do.	do.	do.	do.	do.	do.
11. Fort Niagara, N. Y.	do.	do.	do.	do.	do.	do.	do.	do.
12. Fort Ontario, N. Y.	do.	do.	do.	do.	do.	do.	do.	do.
13. Madison Barracks, N. Y.	do.	do.	do.	do.	do.	do.	do.	do.
14. Plattsburg Barracks, N. Y.	do.	do.	do.	do.	do.	do.	do.	do.
DEPARTMENT OF WASHINGTON.								
15. U. S. Military Asylum, D. C.	Yes.	Paling	None	Yes.	None	None	Yes.	Cistern
16. Alexandria, Va	do.	do.	do.	do.	do.	do.	do.	Fount'n
17. Battle Ground, D. C.	do.	Picket	do.	None	do.	do.	None	None
18. Annapolis, Md	do.	Paling	do.	Yes.	Yes.	do.	Yes.	do.
19. Harmony, D. C.	do.	do.	do.	None	None	do.	do.	do.
20. Ball's Bluff, Va	None	do.	do.	do.	do.	do.	None	do.
21. Grafton, W. Va.	Yes.	do.	do.	Yes.	do.	do.	Yes.	do.
22. Arlington, Va.	do.	do.	do.	do.	do.	do.	do.	Cistern
FIRST MILITARY DISTRICT.								
23. Richmond, Va	Yes.	Picket	None	Yes.	None	None	Yes.	Pump
24. Fort Harrison, Va.	do.	do.	do.	do.	do.	do.	do.	do.
25. Glendale, Va.	do.	do.	do.	do.	do.	do.	do.	do.
26. Cold Harbor, Va	do.	do.	do.	do.	do.	do.	do.	do.
27. City Point, Va	do.	do.	do.	do.	do.	do.	do.	do.
28. Poplar Grove, Va.	do.	do.	do.	do.	do.	do.	do.	do.
29. Seven Pines, Va.	do.	do.	do.	do.	do.	do.	do.	do.
30. Yorktown, Va	do.	do.	do.	do.	do.	do.	do.	do.
31. Danville, Va	do.	do.	do.	do.	do.	do.	do.	do.
32. Hampton, Va	do.	do.	do.	do.	do.	do.	do.	do.
33. Fredericksburg, Va	do.	do.	do.	do.	do.	do.	do.	Wells
34. Culpeper C. H., Va	do.	do.	do.	do.	do.	do.	do.	do.
35. Winchester, Va	do.	do.	do.	do.	do.	do.	do.	do.
36. Staunton, Va	do.	do.	do.	do.	do.	do.	do.	do.
SECOND MILITARY DISTRICT.								
37. Beaufort, S. C	Yes.	Picket	None	Yes.	None	Yes.	Yes.	Wells.
38. Florence, S. C	do.	Board	do.	do.	do.	do.	do.	None
39. Wilmington, N. C	do.	Picket	do.	do.	do.	None	do.	do.
40. Newbern, N. C	do.	do.	do.	do.	do.	do.	do.	do.
41. Raleigh, N. C	do.	Board	do.	do.	do.	do.	do.	do.
42. Salisbury, N. C	do.	Picket	Yes.	do.	do.	do.	do.	do.
THIRD MILITARY DISTRICT.								
43. Marietta, Ga	None	Picket	None	Yes.	None	None	Yes.	Cistern
44. Andersonville, Ga.	Yes.	do.	do.	do.	do.	do.	do.	None
45. Mobile, Ala	do.	do.	do.	do.	do.	do.	do.	Well
46. Barrancas, Fla.	do.	None	Yes.	do.	do.	do.	do.	None
FOURTH MILITARY DISTRICT.								
47. Vicksburg, Miss.	Yes.	Picket	None	Yes.	Yes.	Yes.	Yes.	None
48. Natchez, Miss.	do.	do.	do.	do.	do.	None	do.	do.
49. Little Rock, Ark.	do.	do.	do.	do.	None	do.	do.	do.
50. Fort Smith, Ark	do.	None	do.	do.	do.	do.	do.	do.
51. Fayetteville, Ark	do.	do.	do.	do.	do.	do.	do.	do.
FIFTH MILITARY DISTRICT.								
52. Monument, (New Orleans,) La.	Yes.	Yes.	None	Yes.	None	Yes.	Yes.	Wells.
53. Baton Rouge, La.	do.	do.	do.	do.	do.	do.	do.	do.
54. Port Hudson, La	None	Picket	do.	do.	do.	do.	do.	do.
55. Fort St. Phillip, La	do.	do.	do.	do.	do.	do.	do.	do.
56. Alexandria, La	do.	do.	do.	do.	do.	None	do.	None
57. San Antonio, Texas	Yes.	None	Yes.	do.	do.	do.	do.	Wells
58. Galveston, Texas	None	Yes.	None.	do.	do.	do.	do.	do.
59. Brownsville, Texas.	Yes.	None	do.	do.	do.	do.	do.	do.

at the various national cemeteries throughout the United States.

Headboards.	Cannon, monuments, (Proposed.)	Records, (Condition.)	Title papers.	Superintendent.	Officer in charge.
Yes....	None ..	Good .....	Gov't reservation.	None .....	Bvt. Col. F. J. Crilly.
do. ....	do. ....	do. ....	Completed .....	do. ....	Do.
do. ....	do. ....	do. ....	do. ....	do. ....	Do.
do. ....	do. ....	do. ....	do. ....	do. ....	Bvt. Brig. Gen. R. E. Clary.
do. ....	do. ....	do. ....	Gov't reservation.	do. ....	Bvt. Maj. Gen. R. Ingalls.
do. ....	do. ....	do. ....	do. ....	do. ....	Do.
do. ....	do. ....	do. ....	do. ....	do. ....	Do.
do. ....	Yes .....	do. ....	Not completed.	John Bryson .....	Do.
do. ....	None .....	do. ....	Gov't reservation.	None .....	Do.
do. ....	do. ....	do. ....	do. ....	do. ....	Maj. A. Montgomery.
do. ....	do. ....	do. ....	do. ....	do. ....	Do.
do. ....	do. ....	do. ....	do. ....	do. ....	Do.
do. ....	do. ....	Incomplete.	do. ....	do. ....	Do.
do. ....	do. ....	Good .....	do. ....	do. ....	Do.
Yes....	None ..	Good .....	United States .....	Patrick Callahan .....	B'd of com'rs of Soldiers' Home.
do. ....	Yes .....	do. ....	do. ....	Frederick Kauffman .....	Bvt. Brig. Gen. J. C. McFerran.
do. ....	None .....	do. ....	do. ....	A. McCartney .....	Do.
do. ....	Yes .....	do. ....	do. ....	A. Armbrecht .....	Do.
do. ....	None .....	do. ....	do. ....	James McCauley .....	Do.
do. ....	do. ....	Incomplete.	do. ....	None .....	Do.
do. ....	Yes .....	Unfinished.	Incomplete .....	R. V. Fitzgerald .....	Do.
do. ....	do. ....	Good .....	United States .....	Thompson R. East .....	Do.
Yes....	Yes .....	Good .....	Completed .....	Patrick Hart .....	Bvt. Lieut. Col. J. M. Moore.
do. ....	None .....	do. ....	Incomplete .....	William Wright .....	Do.
do. ....	do. ....	do. ....	do. ....	A. J. Potter .....	Do.
do. ....	do. ....	do. ....	do. ....	C. W. Hoyme .....	Do.
do. ....	Yes .....	do. ....	United States .....	J. Delacroy .....	Do.
do. ....	do. ....	do. ....	Incomplete .....	August Miller .....	Do.
do. ....	None .....	do. ....	do. ....	James Kelly .....	Do.
do. ....	Yes .....	do. ....	do. ....	Ed. Robason .....	Do.
do. ....	None .....	do. ....	do. ....	F. O'Donohue .....	Do.
do. ....	Yes .....	do. ....	United States .....	James Browning .....	Do.
do. ....	do. ....	do. ....	Incomplete .....	Ed. McMahon .....	Do.
do. ....	None .....	do. ....	United States .....	August Barry .....	Do.
do. ....	Yes .....	do. ....	Incomplete .....	Philetus Sedgwick .....	Do.
do. ....	None .....	do. ....	do. ....	Henry Clark .....	Do.
Yes....	Yes .....	Good .....	Incomplete .....	George Griffin .....	Bvt. Brig. Gen. R. Saxton.
do. ....	do. ....	do. ....	do. ....	Robert Wood .....	Do.
do. ....	do. ....	do. ....	United States .....	M. Dellingham .....	Do.
do. ....	do. ....	do. ....	Incomplete .....	W. Dougherty .....	Do.
do. ....	None .....	do. ....	do. ....	G. A. Dichtl .....	Do.
do. ....	do. ....	do. ....	do. ....	C. H. Proudfit .....	Do.
Yes....	Yes .....	Good .....	Incomplete .....	J. G. Hughes .....	Bvt. Brig. Gen. R. Saxton.
do. ....	None .....	do. ....	do. ....	H. Williams .....	Do.
do. ....	do. ....	do. ....	United States .....	None .....	Do.
do. ....	Yes .....	do. ....	do. ....	C. M. O'Regan .....	Do.
None ..	Yes .....	Good .....	United States .....	V. B. St. John .....	Bvt. Col. J. G. Chandler.
Yes....	do. ....	do. ....	do. ....	A. J. Kendall .....	Do.
do. ....	do. ....	do. ....	do. ....	J. Hill .....	Do.
do. ....	do. ....	do. ....	Incomplete .....	D. Allen .....	Do.
do. ....	None .....	do. ....	United States .....	J. Nutting .....	Do.
Yes....	Yes .....	Good .....	Incomplete .....	G. Fitzgerald .....	Bvt. Brig. Gen. C. H. Tompkins.
do. ....	do. ....	do. ....	United States .....	W. H. Taylor .....	Do.
do. ....	do. ....	do. ....	Incomplete .....	T. Ganson .....	Do.
do. ....	None .....	do. ....	United States .....	None .....	Do.
do. ....	Yes .....	do. ....	Incomplete .....	George B. Craft .....	Do.
do. ....	None .....	do. ....	United States .....	None .....	Do.
do. ....	do. ....	do. ....	Incomplete .....	do. ....	Do.
do. ....	Yes .....	do. ....	do. ....	Albert Dean .....	Do.

*Tabular statement showing the permanent improvements established at*

Number and name of cemetery.	Lodge.	Fence.	Wall.	Flagst'ff	Gutters.	Drains.	Avenues and trees.	Cisterns or wells.
DEPT' OF THE CUMBERLAND.								
60. Knoxville, Tenn .....	Yes....	Board ..	None ..	Yes....	None ..	None ..	Yes....	Well ..
61. Chattanooga, Tenn .....	do....	None ..	Yes....	do....	Yes....	Yes....	do....	Wells..
62. Stone's River, Tenn .....	do....	Picket ..	None ..	do....	None ..	None ..	do....	do....
63. Nashville, Tenn .....	do....	do....	do....	do....	do....	do....	do....	do....
64. Shiloh, Tenn .....	do....	None ..	Yes....	do....	Yes....	Yes....	do....	do....
65. Memphis, Tenn .....	do....	Picket ..	None ..	do....	do....	do....	do....	None ..
66. Corinth, Miss. ....	do....	do....	do....	do....	do....	do....	do....	Wells..
67. New Albany, Ind .....	do....	None ..	Yes....	do....	None ..	None ..	do....	None ..
68. Camp Nelson, Ky .....	do....	do....	do....	do....	do....	do....	do....	do....
69. Logan's Crossroads, Ky .....	do....	do....	do....	do....	do....	do....	do....	do....
70. Cave Hill, Ky .....	do....	do....	None ..	do....	do....	do....	do....	do....
71. Lexington, Ky .....	None ..	do....	do....	do....	do....	do....	do....	do....
72. Danville, Ky .....	do....	do....	do....	do....	do....	do....	do....	do....
73. Fort Donelson, Tenn .....	Yes....	Picket ..	do....	do....	do....	do....	do....	do....
74. Lebanon, Ky .....	do....	None ..	Yes....	do....	do....	do....	do....	do....
DEPARTMENT OF THE LAKES.								
75. Mound City, Ill .....	Yes....	Yes....	None ..	Yes....	Yes....	None ..	Yes....	Wells..
76. Indianapolis, Ind .....	do....	None ..	do....	do....	do....	do....	do....	None ..
MILIT'Y DIV. OF THE MISSOURI.								
77. Jefferson Barracks, Mo .....	Yes....	Picket ..	None ..	None ..	None ..	Yes....	Yes....	None ..
78. Jefferson City, Mo .....	do....	do....	do....	do....	do....	None ..	do....	do....
79. Springfield, Mo .....	do....	do....	do....	do....	do....	do....	do....	Well ..
80. Fort Leavenworth, Kansas .....	None ..	do....	do....	do....	do....	Yes....	do....	None ..
81. Fort Scott, Kansas .....	do....	do....	do....	do....	do....	None ..	None ..	do....
82. Fort Gibson, Kansas .....	do....	None ..	do....	do....	do....	do....	do....	do....
83. Centralia, Mo .....	do....	do....	do....	do....	do....	do....	do....	do....

Respectfully submitted :

A true copy :

QUARTERMASTER GENERAL'S OFFICE,  
Cemeterial Branch, August 27, 1868.

*the various national cemeteries throughout the United States—Continued.*

Headboards.	Cannon, monuments, (proposed.)	Records. (Condition.)	Title papers.	Superintendent.	Officer in charge.
Yes....	None ..	Good .....	United States .....	T. Ridge .....	Bvt. Maj. Gen. T. Swords.
None ..	Yes....	do.....	Incomplete.....	F. Buntley .....	Do.
Yes....	do....	do.....	United States .....	L. S. Doolittle .....	Do.
do....	do....	do.....	do.....	W. A. Graham .....	Do.
do....	do....	do.....	Incomplete.....	Peter Jecko .....	Do.
do....	do....	Incomplete.	United States .....	John F. Carl .....	Do.
do....	do....	Good .....	do.....	J. Barrigan .....	Do.
do....	do....	do.....	do.....	None .....	Do.
do....	do....	do.....	do.....	E. Schneider .....	Do.
do....	None ..	do.....	do.....	James Burke .....	Do.
do....	Yes....	do.....	do.....	None .....	Do.
do....	do....	do.....	do.....	do.....	Do.
do....	do....	do.....	do.....	do.....	Do.
do....	None ..	do.....	do.....	do.....	Do.
do....	do....	Incomplete.	do.....	A. B. Tuttle .....	Do.
do....	do....	Good .....	do.....	C. Gohe .....	Do.
Yes....	Yes....	Good .....	United States .....	A. S. Dial .....	Bvt. Brig. Gen. J. D. Bingham.
do....	do....	do.....	do.....	J. Trindle .....	Do.
Yes....	Yes....	Good .....	United States .....	S. A. Beeman .....	Bvt. Maj. Gen. L. C. Easton.
do....	do....	do.....	do.....	H. Brown .....	Do.
do....	None ..	do.....	Incomplete.....	A. McAlpine .....	Do.
None ..	Yes....	do.....	United States .....	H. M. Fogg .....	Do.
do....	None ..	do.....	do.....	A. Hyde .....	Do.
do....	do....	Incomplete.	do.....	None .....	Do.
do....	do....	Good .....	do.....	do.....	Do.

C. W. FOLSOM,  
*Brevet Colonel and Assistant Quartermaster in charge of Cemeteries.*

*Schedule of actual or contracted or estimated cost of the various items connected with the disinterment and removal of the remains of deceased soldiers in the various sections of the United States.*

No.	Items.	Depot of Washington, Col. J. M. Moore, A. Q. M., July, 1866.	Department of Washington, Col. M. J. Lindington, C. Q. M., July, 1866.	Military div. of the Tennessee, Gen. J. L. Donaldson, C. Q. M., May, 1866.	Jeffersonville, Ind., Capt. J. H. Belcher, A. Q. M., March, 1866.	Murfreesboro', Tenn., Maj. E. B. Whitman, A. Q. M., July, 1866.	Chicago, Ill., Capt. N. Plato, A. Q. M., October, 1865.	Knoxville, Tenn., Capt. W. A. Wainwright, A. Q. M., May, 1866.	Chattanooga, Tenn., 1866.	Gallipolis, Ohio, 1866.	Nashville, Tenn., May, 1866.	Columbia, Tenn., May, 1866.	Cold Harbor, Col. J. M. Moore, March, 1866.	Gettysburg battle-field, (items b, c, d, and i,) October, 1863.	Beaufort, S. C.; removals from Savannah and Lawton, Ga., Jan., 1868.	Beaufort, S. C.; removals from posts in Florida, January, 1868.	Marietta, Ga.; removals from Montgomery, Ala., January, 1868.
1	Cost of picket fence per running foot..	\$0 41†	\$0 60	\$0 60‡	\$0 90	\$1 09	\$0 30	\$0 75		\$0 60		\$0 48					
2	Cost of headboards, each.....	1 20	90	12 50						1 25							
3	Setting headboards, each.....	10															
4	Cost of coffin.....	4 00	3 40	3 00													
5	Cost of plain box.....	1 50	3 40	1 50													
	<i>Cost of removal, per body.</i>																
6a	Fencing.....	25	35	75													
b	Disinterring.....	\$1 50	1 00										\$0 75				
c	Digging grave.....		1 00	25									1 00				
d	Filling grave.....																
e	Coffin.....	2 50	3 40	3 00					\$4 50								
f	Rough box.....			1 50					12 00				1 50				
g	Transportation by rail.....		45	1 00													
h	Clerk hire, maintenance of animals, &c.	75	1 00	30													
i	Transportation by wagon.....	1 25	50	1 00													
k	Grading roads, paths.....	50	30	20													
l	Headboards.....	1 25	90	2 50													
m	Grave mounded and sodded.....																
	Total cost of removal.....	8 00	9 00	9 00							\$9 00		3 25	\$1 59	\$6 00	\$8 00	\$6 00

\* Estimate. † By contract. ‡ In government shops. § Labor. || Average—from a distance of 5 miles, \$8; from a distance of 10 miles, \$9; from a distance of 15 miles, \$15.

\*By contract.

## Schedule of actual or contracted or estimated cost of the various items, &amp;c.—Continued.

No.	Items.	First military district.	Beaufort cemetery, S. C.; removing and reintering bodies to this cemetery.	Florence cemetery; arranging and reintering bodies.	Newbern cemetery; removing and reintering bodies.	Raleigh cemetery; removing and reintering bodies.	Salisbury cemetery; removing and reintering bodies.	Wilmington cemetery; removing and reintering bodies.	Natchez cemetery, Miss.	Little Rock cemetery, Ark.	Monument cemetery, New Orleans, La.	Baton Rouge cemetery, La.	Port Hudson cemetery, La.	Department of the Cumberland.	Fort Leavenworth cemetery, Kan.	Jefferson Barracks cemetery, Mo.	Jefferson City cemetery, Mo.	Springfield cemetery, Mo.
1	Cost of picket fence per running foot...																	
2	Cost of headboards, each .....																	
3	Setting headboards, each .....																	
4	Cost of coffin .....																	
5	Cost of plain box .....																	
	Cost of removal, per body.																	
6a	Fencing .....																	
b	Dialintering .....																	
c	Digging grave .....		\$4 70	\$1 63	\$9 00	\$11 00	\$6 00	\$6 45		\$7 50					\$11 69			
d	Filling grave .....																	
e	Coffin .....	\$2 47																
f	Rough box .....		1 50						\$0 90	95		\$2 25	\$2 35	\$0 93		\$0 90	\$1 63	\$3 35
g	Transportation by rail .....										\$4 85							
h	Clerk hire, maintenance of animals, &c. ....																	
i	Transportation by wagon .....																	
k	Grading roads, paths .....																	
l	Head-boards .....																	
m	Grave mounded and sodded .....																	
	Total cost of removal .....																	

\* By contract.

Respectfully submitted:

QUARTERMASTER GENERAL'S OFFICE, CEMETERIAL BRANCH, August 26, 1868.

C. W. FOLSOM,  
Brevet Colonel and Assistant Quartermaster.

*Tabular record of titles to land occupied by the United States for national cemeteries.*

No.	Name of cemetery.	Name of prior owner.	Name of present owner.	Date of deed to United States.	Number of acres.	Remarks.
1	Green Mount, Vt .....	Town of Montpelier, Vt .....	United States.	Mar. 28, 1866	Lot 324.....	Donated.
2	Beverly, N. J .....	Joseph Weyman .....	do .....	Aug. 24, 1864	1 acre .....	Do.
3	Whitehall, Bristol, Pa. ....	George Randall .....	do .....	Aug. 30, 1864	1 acre .....	Purchased.
4	Lebanon, Philadelphia, Pa. ....	J. C. White .....	do .....	July 23, 1867	56 lots .....	Do.
5	Finn's Point, N. J .....	United States .....	do .....	.....	.....	Military reservation.
6	Pea Patch island, Del. ....	United States .....	do .....	.....	.....	Do.
7	Point Lookout, Md .....	Parmelia Smith .....	do .....	.....	7 acres .....	Purchased by appraisement.
8	U. S. Military Asylum, D. C ..	United States .....	do .....	.....	.....	Military reservation.
9	Arlington, Va .....	Robert E. Lee .....	do .....	.....	.....	Purchased by tax sale.
10	Culpeper, C. H., Va .....	E. B. Hill and wife .....	do .....	May 10, 1867	6 acres .....	Purchased by appraisement.
11	Hampton Va .....	William E. Wood .....	do .....	July 19, 1867	60 3/4 29'' .....	Do. do.
12	Richmond, Va .....	William Slater and wife .....	do .....	July 29, 1867	3 acres .....	Do. do.
13	City Point, Va .....	E. Comer .....	do .....	Jan. 25, 1868	.89 acres .....	Purchased.
14	Yorktown, Va .....	Fred W. Power .....	do .....	Mar. 10, 1868	2.721 acres .....	Purchased by appraisement.
15	Glendale, Va .....	Lucy C. Nelson and others .....	do .....	May 20, 1867	2.13 acres .....	Do. do.
16	Seven Pines, Va .....	Richard Hilliard .....	do .....	April 24, 1867	1.3 acres .....	Do. do.
17	Wilmington, Va .....	Isaac D. Ryttenburg .....	do .....	Feb. 20, 1867	5 acres .....	Purchased.
18	Beaufort, S. C .....	State of South Carolina .....	do .....	Feb. 10, 1863	.....	Military reservation.
19	Marietta, Ga .....	Hy. G. Cole and Georgia C., his wife	do .....	July 31, 1866	20.01 acres .....	Donated.
20	Montgomery, Ala. ....	W. L. Coleman, mayor, &c .....	do .....	July 14, 1866	.....	Do.
21	Fort Barrancas, Fla. ....	United States .....	do .....	.....	.....	Military reservation.
22	Corinth, Miss. ....	Walker, White & Vance .....	do .....	.....	20 acres .....	Purchased by appraisement.
23	Natchez, Miss .....	Margaret Case, T. D. Purnell, and others.	do .....	July 31, 1867	11.07 acres .....	Do. do.
24	Vicksburg, Miss .....	Aloy H. Jaynes and wife .....	do .....	Aug. 27, 1866	40 acres .....	Purchased.
25	Little Rock, Ark .....	City of Little Rock .....	do .....	.....	9.1 acres .....	Donated.
26	Fayetteville, Ark .....	Stephen L. Stone and wife .....	do .....	.....	.....	Purchased.
27	Fayetteville, Ark .....	David Walker .....	do .....	.....	.....	Do.
28	Baton Rouge, La .....	Pierre Baron and Miss Simonia Benna.	do .....	.....	7 acres .....	Do.
29	San Antonio, Texas .....	W. C. A. Thieleape, mayor, &c .....	do .....	Nov. 15, 1867	1.9 acres .....	Donated.
30	Nashville, Tenn .....	M. B. Howell, in chancery .....	do .....	July 3, 1866	45 acres, 90 poles.	Purchased at sheriff's sale.
31	Columbia, Tenn .....	John Baird .....	do .....	May — 1866	.....	Donated.
32	Fort Donelson, Tenn. ....	James P. Flood .....	do .....	April 23, 1867	15.34 acres .....	Purchased.
33	Memphis, Tenn .....	William Sider and others .....	do .....	.....	.....	Do.



*Tabular record of titles to land occupied by the United States for national cemeteries—Continued.*

No.	Name of cemetery.	Name of prior owner.	Name of present owner.	Date of deed to United States.	Number, of acres.	Remarks.
34	Memphis, Tenn. . . . .	Coleman Boyd . . . . .	United States.			Purchased.
35	Stone's River, Tenn. . . . .	James M. Tompkins . . . . .	do. . . . .		8 acres, 105 poles.	Do.
36	Stone's River, Tenn. . . . .	Benjamin Lillard . . . . .	do. . . . .		7 acres, 69 poles . . . . .	Do.
37	Chattanooga, Tenn. . . . .	Joseph Ruohs and others . . . . .	do. . . . .			Appropriated
38	Knoxville, Tenn. . . . .	John Dameron . . . . .	do. . . . .	June 5, 1867	10 acres . . . . .	Do.
39	Cave Hill, Ky. . . . .	J. Everett . . . . .	do. . . . .	July 23, 1863	42,114 feet . . . . .	Purchased.
40	Danville, Ky. . . . .	Town of Danville, Ky. . . . .	do. . . . .	July — 1867	18 lots . . . . .	Do.
41	Lexington, Ky. . . . .	Lexington Cemetery Association . . . . .	do. . . . .			Do.
42	Lebanon, Ky. . . . .	James J. McElroy . . . . .	do. . . . .	April 6, 1867	2 acres . . . . .	Do.
43	Logan's Crossroads, Ky. . . . .	William H. Logan and wife . . . . .	do. . . . .			Donated.
44	Frankfort, Ky. . . . .	Frankfort Cemetery Company . . . . .	do. . . . .	Jan. 4, 1868	9 lots . . . . .	Purchased.
45	Madison, Wis. . . . .	C. W. Keys, mayor, &c . . . . .	do. . . . .	June 18, 1866		Do.
46	Prairie du Chien, Wis. . . . .	J. Lockwood . . . . .	do. . . . .	June 18, 1866		Do.
47	Oak Wood, Chicago, Ill. . . . .	J. G. Scammon, president . . . . .	do. . . . .	April 25, 1866	18,340 square feet.	Do.
48	Crown Hill, Ind. . . . .	J. M. Ray, president . . . . .	do. . . . .	Aug. 27, 1867	Section 10 . . . . .	Donated.
49	New Albany, Ind. . . . .	Charles and Georgiana Bowman . . . . .	do. . . . .	Dec. 15, 1862	5.46 acres . . . . .	Purchased.
50	Jefferson City, Mo. . . . .	Israel B. Reed and wife . . . . .	do. . . . .	Dec. 7, 1867	2 acres . . . . .	Do.
51	Davenport, Iowa . . . . .	B. B. Woodward, president . . . . .	do. . . . .	June 26, 1866		Donated.
52	Keokuk, Iowa. . . . .	W. Patterson, mayor . . . . .	do. . . . .	Aug. 28, 1866		Do.
53	Brownsville, Texas. . . . .	United States . . . . .	do. . . . .			Military reservation.
54	Pine Bluff, Ark. . . . .	Martha C. Allis and her husband, Horace B. Allis.	do. . . . .	Mar. 27, 1867	3 acres . . . . .	Purchased.
55	Chalmette, N. Orleans, La. . . . .	City of New Orleans . . . . .	do. . . . .	May 26, 1868	13.60 acres . . . . .	Donated.

Respectfully submitted:

C. W. FOLSOM,  
*Brevet Colonel and Assistant Quartermaster in charge of Cemeteries.*

QUARTERMASTER GENERAL'S OFFICE, CEMETERIAL BRANCH, August 27, 1868.

Number of known dead Union soldiers from each State and Territory, with the approximate proportion of the unknown, as contained in the national cemeteries in the United States, as reported by Brevet Colonel C. W. Folsom, assistant quartermaster volunteers.

Running number.	State or Territory, or arm of the regular service, to which the deceased soldiers belonged.	National cemeteries in department of the East.			National cemeteries in Baltimore and vicinity.			National cemeteries in department of Washington.			National cemeteries in first military district.			National cemeteries in second military district.			National cemeteries in third military district.			National cemeteries in fourth military district.		
		Known.	Proportion of unknown.	Total.	Known.	Proportion of unknown.	Total.	Known.	Proportion of unknown.	Total.	Known.	Proportion of unknown.	Total.	Known.	Proportion of unknown.	Total.	Known.	Proportion of unknown.	Total.	Known.	Proportion of unknown.	Total.
1	Alabama				1		1	12	9	21	29	5	34	6	7	13	34	9	43			
2	Arizona Territory																					
3	Arkansas							5	1	6	2	1	3							550	691	1,241
4	California										5	22	27									
5	Colorado Territory																					
6	Connecticut	163	13	176	35	4	39	352	80	432	411	512	923	442	653	1,095	346	46	392	2	8	10
7	Dakota Territory																					
8	Delaware	71	12	83	6		6	105	18	123	91	168	259	16	37	53	45	3	48	2	3	5
9	District of Columbia	5		5	1		1	97	21	118	57	17	74	76	192	268	14	1	15			
10	Florida										3		3	6	7	13	28	17	45			
11	Georgia							14	15	29	39	9	48	16	19	35						
12	Idaho Territory																					
13	Illinois	121	13	134	24	3	27	309	52	361	186	262	448	310	577	887	2,542	735	3,277	1,436	2,123	3,559
14	Indiana	132	15	147	53	7	60	587	180	767	289	444	733	413	694	1,107	1,646	468	2,114	564	792	1,356
15	Indian Territory																					
16	Iowa	41	4	45	14	2	16	68	7	75	59	86	145	134	219	353	680	202	882	5	17	22
17	Kansas							5	1	6							32	12	44	892	1,032	1,924
18	Kentucky				15	2	17	64	3	67	56	99	155	90	231	321	713	142	855	70	94	164
19	Louisiana							1		1	1	6	7	1	3	4	3	1	4	305	546	851
20	Maine	336	38	374	81	9	90	1,166	370	1,536	840	1,708	2,548	404	733	1,137	412	27	439	2	3	5
21	Maryland	42	4	46	104	13	117	320	64	384	290	491	781	69	175	244	210	22	232	1	1	2
22	Massachusetts	380	66	446	78	10	88	1,194	292	1,486	846	1,801	2,647	946	1,315	2,261	804	72	876	6	13	19
23	Minnesota	29	2	31	1		1	60	15	75	18	48	66	34	50	84	161	35	196	117	107	224
24	Mississippi										15	5	20	1	3	4	5	4	9			
25	Missouri				1		1	19	2	21	10	17	27	26	43	69	336	93	429	684	687	1,371
26	Montana Territory	2		2																		
27	Nebraska																					
28	Nevada																					
29	New Hampshire	174	22	196	18	3	21	426	95	521	465	782	1,247	363	607	970	144	11	155	4	3	7
30	New Jersey	135	14	149	31	4	35	635	123	758	500	1,365	1,865	93	110	203	267	54	321	10	45	55
31	New Mexico Territory																					
32	New York	1,707	247	1,954	438	54	492	6,337	1,799	8,136	4,664	7,725	11,389	2,739	4,719	7,458	2,964	362	3,326	53	108	161

Number of known dead Union soldiers from each State and Territory, with the approximate proportion of the unknown, &amp;c — Continued.

Running number.	State or Territory, or arm of the regular service, to which the deceased soldiers belonged.	National cemeteries in department of the East.			National cemeteries in Baltimore and vicinity.			National cemeteries in department of Washington.			National cemeteries in first military district.			National cemeteries in second military district.			National cemeteries in third military district.			National cemeteries in fourth military district.		
		Known.	Proportion of unknown.	Total.	Known.	Proportion of unknown.	Total.	Known.	Proportion of unknown.	Total.	Known.	Proportion of unknown.	Total.	Known.	Proportion of unknown.	Total.	Known.	Proportion of unknown.	Total.	Known.	Proportion of unknown.	Total.
33	North Carolina.....							29	31	60	114	49	163	88	85	173	19	2	21			
34	Ohio.....	266	29	295	87	10	97	1,362	469	1,831	1,034	1,632	2,666	738	1,316	2,054	2,857	832	3,689	629	863	1,497
35	Oregon.....																					
36	Pennsylvania.....	1,215	177	1,392	291	35	326	4,206	1,088	5,294	3,231	7,411	10,632	1,605	3,414	5,019	2,044	225	2,269	19	50	69
37	Rhode Island.....	27	1	28	9	2	11	115	24	139	101	200	301	113	116	229	75	5	80	4	5	9
38	South Carolina.....																					
39	Tennessee.....				26	4	30	95	3	98	88	129	217	76	198	274	891	99	990	50	73	123
40	Texas.....							1		1	4	1	5							4	17	21
41	Utah Territory.....																					
42	Vermont.....	150	15	165	34	2	37	660	202	862	491	931	1,422	86	210	296	320	66	386	2	9	11
43	Virginia.....				51	7	58	294	95	389	183	113	296	89	205	294	294	23	317	22	30	52
44	Washington Territory.....																					
45	West Virginia.....	10	1	11	4		4	289	171	460	264	450	714	3	6	9	1		1			
46	Wisconsin.....	134	15	149	41	5	46	632	135	767	344	665	1,009	209	356	565	718	197	915	570	872	1,442
47	United States army.....	354	586	940	42		42	786	260	1,046	678	2,340	3,018	199	463	662	794	148	942	386	481	867
48	U. S. colored troops.....	588	105	693	229		229	498	282	780	1,920	883	2,803	1,115	1,317	2,432	403	175	578	546	5,591	6,137
49	U. S. volunteers.....				18		18	8	6	14				32	34	66	34	5	39	3	6	9
50	U. S. sharpshooters, engineers, pontoniers, &c., (Vols.).....	16	1	17	8		8	39	18	57	62	362	424				12	2	14	12	16	28
51	1st army corps, (Hancock's Vet. Vols.).....	2	1	3	1		1	23	9	32												
52	Signal corps.....				1		1	3	1	4				10	5	15	7		7			
53	Invalid corps.....	21		21				61	19	80												
54	Veteran Reserve Corps.....	114	22	136	13		13	387	186	573	7	9	16	4	5	9						
55	Marine corps.....	1		1				2	1	3	1	1	2				24	19	43	68	90	158
56	Seamen U. S. navy.....	9	93	102	2		2	9	2	11	61	63	124	275	218	483	208	115	323	24	32	56
57	Union prisoners of war, (unknown.).....							2		2				34	41	75	5	2	7			
58	Indian soldiers.....																			33	52	85
59	Michigan.....	317	34	351	70	9	79	1,340	279	1,619	658	1,690	2,348	290	550	840	930	158	1,088	249	227	476
	Citizens, employes, &c.....							352	4	356	25	128	153	214	142	356						
	Total.....	6,562	1,530	8,092	1,828	186	2,014	22,974	6,436	29,410	18,198	32,643	50,841	11,395	19,103	30,498	21,022	4,389	25,411	7,335	14,716	22,051

*Number of known dead Union soldiers from each State and Territory, with the approximate proportion of the unknown, &c.—Continued.*

A 69

Running number.

	State or Territory, or arm of the regular service, to which the deceased soldiers belonged.	National cemeteries in fifth military district.			National cemeteries in department of the Lakes.			National cemeteries in department of the Cumberland.			National cemeteries in military division of the Missouri.			National cemeteries in military division of the Pacific.			Total.		
		Known.	Proportion of unknown.	Total.	Known.	Proportion of unknown.	Total.	Known.	Proportion of unknown.	Total.	Known.	Proportion of unknown.	Total.	Known.	Proportion of unknown.	Total.	Known.	Proportion of unknown.	Total.
1	Alabama				6	7	13	138	142	280	5	3	8				231	182	413
2	Arizona Territory																1	3	4
3	Arkansas	2		2	2	2	4	45	43	88	200	97	297	1		1	801	834	1,635
4	California										156	43	199	254	20	274	420	86	506
5	Colorado Territory										50	33	83				50	33	83
6	Connecticut	305	305	610	14	9	23	44	27	71	4	3	7				2,118	1,660	3,778
7	Dakota Territory							1	1	2		3	3				1	4	5
8	Delaware											3	3				336	244	580
9	District of Columbia											3	3				250	234	484
10	Florida											3	3				37	27	64
11	Georgia							12	5	17	2	2	4				83	50	133
12	Idaho Territory											3	3					3	3
13	Illinois	546	650	1,196	1,464	964	2,428	6,376	4,701	11,077	1,405	267	1,672				14,719	10,347	25,066
14	Indiana	470	464	934	929	356	1,285	6,430	3,538	9,968	716	156	872				12,229	7,114	19,343
15	Indian Territory										18	10	28				23	27	50
16	Iowa	205	264	469	346	321	667	1,493	1,605	3,098	1,700	425	2,125				5,632	4,167	9,799
17	Kansas	4	4	8	12	13	25	170	127	297	469	279	748				997	982	1,979
18	Kentucky	57	47	104	202	127	329	3,007	1,398	4,405	157	20	177				4,431	2,163	6,594
19	Louisiana	700	1,011	1,711	1	1	2	5	4	9	7	4	11				726	1,049	1,775
20	Maine	904	871	1,775	48	47	95	19	16	35	8	4	12				4,220	3,826	8,046
21	Maryland	26	27	53	4	1	5	9	4	13		3	3				1,075	805	1,880
22	Massachusetts	821	726	1,547	35	33	68	116	95	262	4	7	11				5,280	4,431	9,711
23	Minnesota	19	17	36	63	52	115	562	396	958	187	36	223				1,251	758	2,009
24	Mississippi	1	3	4	2	2	4	46	46	92	9	3	12				83	69	152
25	Missouri	231	408	639	227	194	421	1,140	973	2,113	2,351	697	3,048				5,027	3,114	8,141
26	Montana Territory											3	3					3	3
27	Nebraska				7	5	12	16	23	39	79	42	121				106	73	179
28	Nevada				2		2				6	3	9	11	11		19	3	22
29	New Hampshire	192	187	379	29	25	54	113	80	193	2	3	5				1,936	1,860	3,796
30	New Jersey	10	15	25	55	69	124	124	95	219	6	4	10				1,860	1,858	3,718
31	New Mexico Territory										66	29	95				66	29	95
32	New York	1,382	1,172	2,554	112	69	181	704	379	1,083	55	13	68				21,155	16,647	37,802
33	North Carolina				1		1	72	36	108		3	3				323	206	529
34	Ohio	173	159	332	898	312	1,210	7,278	4,126	11,404	529	106	635				15,851	9,859	25,710

Number of known dead Union soldiers from each State and Territory, with the approximate proportion of unknown, &amp;c.—Continued.

Running number.	State or Territory, or arm of the regular service, to which the deceased soldiers belonged.	National cemeteries in fifth military district.			National cemeteries in department of the Lakes.			National cemeteries in department of the Cumberland.			National cemeteries in military division of the Missouri.			National cemeteries in military division of the Pacific.			Total.		
		Known.	Proportion of unknown.	Total.	Known.	Proportion of unknown.	Total.	Known.	Proportion of unknown.	Total.	Known.	Proportion of unknown.	Total.	Known.	Proportion of unknown.	Total.	Known.	Proportion of unknown.	Total.
35	Oregon																		
36	Pennsylvania	117	93	210	47	27	74	878	378	1,256	15	6	21	11		11	13,658	12,904	26,562
37	Rhode Island	86	88	174	5	1	6	25	13	38	2	3	5				562	458	1,020
38	South Carolina																97	55	152
39	Tennessee	21	17	38	143	119	262	2,608	1,216	3,824	63	15	78				4,061	1,873	5,934
40	Texas	41	29	70	2	2	4	1	1	2	4	3	7				57	53	110
41	Utah Territory																		3
42	Vermont	351	400	751	27	3	30	2	2	4		3	3						3
43	Virginia	1		1	36	41	77				18	6	24				2,123	1,844	3,967
44	Washington Territory											3	3				988	520	1,508
45	West Virginia											3	3	10		10	10	3	13
46	Wisconsin	420	416	836	4	4	8	29	15	44	4	6	10				608	653	1,261
47	United States army	650	487	1,137	471	358	829	1,582	1,125	2,707	730	175	895				5,841	4,319	10,160
48	U. S. colored troops	2,966	1,891	4,857	75		75	897	444	1,341	476	158	634	71	5	76	5,408	5,372	10,780
49	United States volunteers	15	10	25	494		494	4,457	6,147	10,604	43	1,064	1,107				13,259	17,455	30,714
50	U. S. sharpshooters, engineers, pontooners, &c. (Vols.)	25	12	37	5		5	3,079	2,205	5,284	25	4	29				3,236	2,270	5,508
51	1st army corps, (Hancock's Vet. Vols.)							24	9	33	7	1	8				210	421	631
52	Signal corps	4	3	7	4		4				1		1				30	10	40
53	Invalid corps				15		15	7	1	8		2	14				33	10	43
54	Veteran Reserve Corps	30	36	66	145		145	90	25	115	12	4	25				109	21	130
55	Marine corps	3	5	8	1		1	11	15	26	6	1	7				811	287	1,098
56	Seamen U. S. navy	267	336	593	26		26				7	1	8				117	132	249
57	Union prisoners of war, (unknown)																878	850	1,728
58	Indian soldiers																41	43	84
59	Michigan	228	306	534	312	134	446	2,983	1,577	4,560	32	28	60				65	80	145
	Citizens, employes, &c.							139	18	157	244	44	288	6		6	7,627	5,008	12,635
	Total	11,263	10,459	21,722	6,293	3,298	9,591	44,782	31,032	75,834	9,891	3,852	13,743	364	25	389	161,907	127,689	289,596

WASHINGTON, D. C., August 26, 1868.

C. W. FOLSOM, Brevet Colonel, A. Q. M. Volunteers.

## UNITED AMERICAN MECHANICS' CEMETERY, PHILADELPHIA, PA.

The lot set apart for the interment of deceased Union soldiers in the United American Mechanics' cemetery, Philadelphia, Pennsylvania, which is situated on the corner of Islington lane and 21st street, (21st ward,) contains 11 graves, all known, and is not separately enclosed. The cemetery proper is enclosed by an iron fence, and the cemetery association has assumed the care and protection of the soldiers' lot.

The remains interred here were received from the various military hospitals in Philadelphia, Pennsylvania, during the war.

## ODD-FELLOWS' CEMETERY, PHILADELPHIA, PENNSYLVANIA.

This is an incorporated cemetery, situated on the corner of Islington lane and 24th street, (21st ward,) Philadelphia, Pennsylvania.

The land is low and flat, but the general appearance is picturesque.

The main cemetery is enclosed by a handsome iron fence.

The lot set apart for the interment of deceased Union soldiers contains 277 graves, all known, and all provided with suitable headboards properly numbered.

## LEBANON CEMETERY, PHILADELPHIA, PENNSYLVANIA.

This cemetery is an incorporated cemetery, and is situated on the Passayunk road, near the Penrose Ferry road, (26th ward,) Philadelphia.

The land is low and flat; the grounds are enclosed by a substantial wooden fence.

Three hundred and thirty-nine (339) interments of deceased Union soldiers, (colored,) all known, have been made in this cemetery, all of whom were brought here from the various military hospitals in the city of Philadelphia, Pennsylvania, where they died of wounds and disease during the late war.

## LAFAYETTE CEMETERY, PHILADELPHIA, PENNSYLVANIA.

This cemetery is an incorporated cemetery, and is situated between Federal and Wharton and Ninth and Tenth streets, (26th ward,) Philadelphia, Pennsylvania.

The ground is low and flat, but presents a very fair appearance, and is enclosed by a handsome iron fence.

There have been 24 interments made in this cemetery of deceased Union soldiers, (known,) all of whom were removed from the various military hospitals in Philadelphia during the late war.

## GLENWOOD CEMETERY, PHILADELPHIA, PENNSYLVANIA.

This cemetery is situated on the corner of Ridge road and Islington lane, (21st ward,) Philadelphia, Pennsylvania, and is an incorporated cemetery.

Two lots have been set apart for the interment of deceased Union soldiers.

The ground is high, though flat, and presents a very beautiful appearance. The whole cemetery is enclosed by a substantial iron fence, and the graves are arranged in parallel rows, with paths six feet wide between the rows, and are all marked with suitable headboards, properly inscribed.

The bodies interred in this cemetery, 702 in number, (all known,) were brought here from the various military hospitals in the city of Philadelphia during the late war.

## WOODLANDS CEMETERY, PHILADELPHIA, PENNSYLVANIA.

This cemetery is situated on the corner of Darby plank road and 40th street, (27th ward,) Philadelphia, Pennsylvania, and is an incorporated cemetery.

The land is high and rolling, and the situation attractive. The cemetery proper is well enclosed with an iron fence.

The graves of the deceased Union soldiers, 118 in all, (all known,) are provided with headboards suitably inscribed.

## MOUNT MORIAH CEMETERY, PHILADELPHIA, PENNSYLVANIA.

This is an incorporated cemetery, and is situated on Stump lane, near the Darby plank road, (27th ward,) Philadelphia, Pennsylvania. It is enclosed with a beautiful and substantial iron fence.

The lot set apart for the interment of deceased Union soldiers contains 432 graves, (all known,) and is not separately enclosed.

The land is high and rolling; the situation is picturesque, and is considered one of the finest in the vicinity of Philadelphia. The graves are all marked with suitable headboards, bearing the names of the soldiers interred.

Fifty of the bodies were recovered from the Free Quakers and Methodist Episcopal cemeteries in Philadelphia, and the remains of those who died at the Soldiers' Home, at the corner of 16th and Filbert streets, in Philadelphia, are also buried in the cemetery.

## CYPRESS HILLS NATIONAL CEMETERY, NEAR BROOKLYN, LONG ISLAND.

This cemetery is situated about three miles from Brooklyn, Long island, and forms part of the city cemetery. The portion of ground set apart for the burial of deceased Union soldiers, about two acres, is divided into five sections, intersected with walks and avenues, and the graves have all been sodded, and grass is abundant.

It is situated in a very beautiful locality, near the western entrance of the Cypress Hills cemetery, and facing the Williamsburg plank road.

Interments of deceased Union soldiers in this cemetery commenced in April, 1862, and up to the present time there have been 3,577 interments made, of which 3,497 are known and 80 unknown.

The cemetery is enclosed by the fence which surrounds the entire grounds. The bodies here interred were brought from the various hospitals and camps in and about New York city during the war.

## NATIONAL CEMETERY, GETTYSBURG, PENNSYLVANIA.

This cemetery is situated on the battle-field of Gettysburg, Pennsylvania, and embraces that portion of the ground occupied by the centre of the Union line of battle on the 2d and 3d of July, 1863. It is on the west side of the Baltimore turnpike, and occupies one of the most prominent and important positions on the field.

The battle of Gettysburg was fought on the 2d, 3d, and 4th of July, 1863, between the armies of General George G. Meade and the rebel General Robert E. Lee.

The grounds of this cemetery embrace an area of about 17 acres; they are beautifully located and command an extensive view of the surrounding country, which is highly picturesque. They are laid out in lots for

each State proportionate in size to the number of known graves belonging to each. They are enclosed by a well-built stone wall surmounted with heavy dressed capping stone, with a gateway of ornamental iron work.

A lodge for the accommodation of the keeper has also been built.

At the head of each row of graves a continuous headstone runs around the semicircle, upon which, opposite his grave, is cut the name of each soldier who is known.

This cemetery was consecrated by appropriate and imposing ceremonies on the 19th of November, 1863, when an oration was delivered by Hon. Edward Everett, and a short dedicatory address by President Lincoln.

It is under the charge of a corporation, being controlled by the board of managers of the Soldiers' National Cemetery at Gettysburg, consisting of one commissioner from each State represented in the cemetery, who is appointed by the governor of the same.

The title of the land thus occupied is held by the Commonwealth of Pennsylvania, in trust for the several States represented, in perpetuity for the purposes to which it is applied. It was purchased in the latter part of August, 1863, nearly two months after the battle, through the exertions of Governor Andrew G. Curtin, of Pennsylvania. Governor Curtin appointed as his agent the Hon. David Wills, of Gettysburg, under whose direction the whole work has been done and in whose immediate charge the cemetery now remains.

It is designed to erect an imposing monument 60 feet in height in the centre of the semicircle, the corner-stone of which was laid with appropriate ceremonies on the 4th of July, 1865, when an oration was delivered by Major General O. O. Howard.

The number of interments made in this cemetery thus far is as follows, viz:

Number known.....	2,533
Unknown.....	979
Total.....	<u>3,512</u>

#### NATIONAL CEMETERY, BEVERLY, NEW JERSEY.

This cemetery is situated about one and a half mile from the town of Beverly, Burlington county, New Jersey, on the Bridgeboro' road, 15 miles from the city of Philadelphia.

It contains one acre of land, which is low and flat, but presents a very attractive appearance. It is enclosed by a wooden fence painted black. The cemetery is nearly square, and the graves are arranged in eight rows, and are all marked with headboards properly inscribed.

It was commenced in the year 1864, and will soon be completed. The bodies, 147 in number, all known, were removed from the military hospital at Beverly during the war.

#### FINN'S POINT CEMETERY, NEW JERSEY.

This cemetery is situated at Finn's Point, Salem county, New Jersey, opposite Fort Delaware, Delaware, on the Delaware river, 45 miles south of Philadelphia. It contains nearly two acres of land, which is low and flat, and is enclosed by a picket fence in good condition. The enclosure is square in form and contains the remains of 12 Union soldiers, all known, and of 1,273 rebel prisoners of war. The graves of the former are provided with suitable headboards. The bodies were brought here from Fort Delaware.



## SOLDIERS' CEMETERIES AT CHESTER, PENNSYLVANIA.

There are two incorporated cemeteries containing soldiers' graves at Chester, Delaware county, Pennsylvania, 14 miles from Philadelphia, as follows, viz :

1. The Rural cemetery, situated about one and a half mile from the town, and containing the remains of 224 deceased Union soldiers, all known.

2. The St. Michael's cemetery, situated about a quarter of a mile from the town, and containing three graves, all known.

The situation of both these cemeteries is high and the general appearance attractive.

Both these cemeteries are enclosed and the graves are marked with suitable headboards properly inscribed.

## ARLINGTON NATIONAL CEMETERY, VIRGINIA.

This cemetery is situated in Fairfax county, Virginia, on the "Arlington estate," formerly the residence of the rebel General Robert E. Lee, about three miles south of the city of Washington, on the road to Alexandria, Virginia, and the enclosure covers an area of about 150 acres of land, of which only about one-fourth is occupied by graves.

The portion of the estate included within the cemetery fence contains the former mansion of General Lee, and is occupied by the superintendent.

This cemetery was commenced in May, 1864, and now contains the remains of over 15,000 deceased Union soldiers. Interments are still being made from the garrison of Washington and from some of the scattered battle-fields in Virginia and Maryland.

Most of the "unknown" buried in this cemetery were removed from the battle-fields of Bull Run and Manassas, of which 2,111 are deposited in a large tomb, built of masonry, near the mansion, the opening of which is covered by a monument bearing the following inscription :

Beneath this stone repose the bones of 2,111 unknown soldiers, gathered after the war from the fields of Bull Run and the route to the Rappahannock. Their remains could not be identified, but their names and deaths are recorded in the archives of their country, and its grateful citizens honor them as of their "noble army of martyrs." May they rest in peace.  
*September, A. D. 1866.*

The ground is undulating and beautifully wooded; easy avenues lead to every part of it, and in the summer the natural beauty is unsurpassed.

The graves are arranged in rectangular blocks and provided with white wooden tablets, bearing the name of the soldier and number of the grave.

## ANTIETAM NATIONAL CEMETERY, MARYLAND.

This cemetery is situated in Washington county, Maryland, one mile from Sharpsburg, upon the turnpike road to Boonsboro', near the Antietam creek, and in a central position as regards the battle-field of Antietam. The ground on which it is situated was within the rebel lines on the day of the battle.

The cemetery was commenced by the "Antietam National Cemetery Association," (a corporation organized under the laws of the State of Maryland, about March 23, 1865.)

This association was composed of members from the different loyal States whose dead are represented in the cemetery, and the expenditures

for the purchase of the site, for its enclosure, (a stone wall,) for the erection of a lodge, and other improvements, were defrayed by appropriations made by the legislatures of these various States. The appropriations, however, proving insufficient to provide for the disinterment, coffining, and reinterment of the remains of the dead, a large share of this work was undertaken by the general government in 1866 and 1867, and completed by them September 4, 1867. The grounds were publicly opened and dedicated on the 17th of the same month.

In addition to 1,475 bodies reinterred from the battle-field of Antietam, (fought September 17, 1862,) the remains of all United States soldiers scattered through the counties of Frederick, Washington, and Allegheny, Maryland, including those from the battle-fields of Monocacy Junction, South Mountain, &c., and from the hospital at Clarysville, near Cumberland, Maryland, have been removed to this cemetery; also, all bodies from Harper's Ferry and its vicinity.

Nineteen States are represented in this cemetery. The total number of interments made is 4,695—of which 2,903 are unknown.

The enclosure contains  $9\frac{197\frac{3}{8}}{2178}$  acres. The grounds are handsomely laid off, partly in a semicircular form, with a 20-foot avenue surrounding the whole, and numerous smaller paths intersecting the graves. A space has been left in the centre for a monument, which is now being erected.

#### NATIONAL CEMETERY, CITY POINT, VIRGINIA.

This cemetery is situated on the road to Petersburg, about one and a half mile from City Point, Prince George county, Virginia, and about nine miles from Petersburg.

The surrounding country is generally level. The cemetery itself is beautifully located on a slight eminence some forty-five feet above the Appomattox river, one mile from the confluence of the James and Appomattox, at a point where a commanding view is had for several miles up and down those rivers and over the surrounding country. It is very near the ground used for the general field hospitals of the army of the Potomac during the siege of Petersburg in 1864.

The cemetery contains about  $7\frac{1}{2}$  acres, and has been laid off in the form of a square, with a semicircular entrance; it is divided into six sections by avenues, and provided with excellent drainage. It is enclosed by a picket fence, in good order, and the graves are all well sodded and provided with suitable headboards, properly inscribed.

The interments are in numbers as follows, viz:

Known .....	3, 758
Unknown .....	1, 384
Total .....	<u>5, 142</u>

The burial of deceased Union soldiers in this cemetery was begun in July, 1866, and was completed in September, 1867, under the direction of Brevet Lieutenant Colonel James M. Moore, chief quartermaster first military district, of Richmond, Virginia.

The bodies which were not originally buried here were removed from a burial ground at City Point, established shortly after the occupation of that place by the United States forces, and from a site appropriated for cemeterial purposes during the war at Point of Rocks, about five miles up the Appomattox river.

## RICHMOND NATIONAL CEMETERY, VIRGINIA.

This cemetery is situated in Henrico county southeast of Richmond, Virginia, on the south side of the Williamsburg road, and near the fork of the Darby road, two miles from the city limits, and one and a half mile from the James river. It is located on a site well adapted for burial purposes. The land is high, rolling, and elevated 160 feet above tide water. It embraces eight acres, five of which were originally owned by William Brown and three by William Slater.

The surrounding scenery is not picturesque, nor is it devoid of interest; affording a commanding view of the city, and, in the distance, the valley of the James.

The cemetery is just within the line of fortifications thrown up by the rebels, which is still visible; but heavy rains and the plough of the farmer are fast obliterating these reminiscences of the rebellion. It is enclosed by a substantial picket fence, in excellent condition; the posts are of cedar, and the sills, &c., of pine. The wicket gateway at the entrance bears the inscription "U. S. National Cemetery, Richmond, Va."

It is divided by a rectangular system of paths into sections and divisions. A carriage drive passes through the middle and surrounds the whole. A flagstaff has been erected in the centre from which the national colors are displayed from sunrise to sunset. This is surrounded by a high mound upon which has been placed a stand for visitors.

Each grave is designated by a neat tablet or headboard painted white, and bearing in black letters the name, rank, company, regiment, and date of death of the deceased.

The walks are in fine order, well settled and gravelled, and brick drains are placed on the sides of the walks and drives.

Neither trees nor shrubbery have as yet been planted, the transportation and employes having been engaged in making substantial and necessary repairs until the suspension of work at the beginning of last winter. As soon as the weather will permit the national cemeteries throughout Virginia will be suitably adorned with trees and shrubbery.

Operations on this cemetery were commenced September 1, 1866, and were completed September 30, 1867. The working party was in charge of superintendent A. M. Dougherty, who acted under the direction of Colonel J. M. Moore, chief quartermaster of the district.

The interments made comprise bodies removed from Belle Isle, Hollywood, Oakwood, and Poor-house cemeteries at Richmond, Virginia, and several hundred removed from Hanover Court House, Cold Harbor, Gaine's Mills, and Fort Harrison, Virginia, which had not been previously found.

The total number of interments made is as follows, viz:

United States soldiers, known.....	817
United States soldiers, unknown.....	5,459
Total.....	<u>6,276</u>

## DANVILLE NATIONAL CEMETERY, VIRGINIA.

This cemetery is situated one-fourth of a mile south of the city of Danville, Pittsylvania county, Virginia, (140 miles southwest of Richmond, Virginia,) just within the corporation limits, half a mile from the Dan river, and immediately adjoining the city cemetery. The country road to Greensboro', North Carolina, and also the Piedmont railroad to the same

place, pass within a short distance. Like the Richmond cemetery it is admirably adapted for the interment of the dead, and embraces three acres of land, which formed a portion of the widow Greene's estate.

The country adjacent is hilly and well watered by a number of beautiful streams; the valleys and slopes are heavily timbered; the scenery diversified and picturesque. Unlike most sections of Virginia, the traces of war are not visible; but highly cultivated farms and homesteads meet the eye.

The cemetery is enclosed by a substantial picket fence, which is in perfect repair, and will last for years. The headboards are in good condition and in sufficient numbers. As in all other national cemeteries constructed under the direction of Colonel James M. Moore, the grounds have been laid out in sections and divisions, with walks intersecting each other at right angles, and with a mound in the centre, on which a flagstaff has been erected. But few trees or shrubs have been planted as yet. In the spring, however, additional ones will be set out and the cemetery still further improved and beautified.

Operations at this cemetery were commenced December 15, 1866, and were completed July 31, 1867. The working party was under the charge of Superintendent J. J. Johnson, who acted under the supervision of Colonel Moore, chief quartermaster of the district.

The remains of United States soldiers interred were almost entirely those of prisoners of war who died in rebel prisons in Danville, with some few removed from the surrounding country. The prisoners were confined in seven tobacco warehouses, which were situated in the city of Danville, at a distance of from one-half to three-quarters of a mile north of the cemetery.

The total number of interments made is as follows, viz:

United States soldiers, known.....	1,175
United States soldiers, unknown.....	148
Total.....	<u>1,323</u>

#### CULPEPER COURT HOUSE NATIONAL CEMETERY, VIRGINIA.

This cemetery is situated in Culpeper county, Virginia, on a knoll on the southeast side of the railroad, about one-quarter of a mile from the railroad depot and a half mile from the court-house. It was established in July, 1866, by Brevet Colonel James Gleason, assistant quartermaster United States volunteers, acting under the direction of Brevet Brigadier General M. I. Ludington, quartermaster United States army, chief quartermaster department of Washington.

It is laid out in a square form, with avenues dividing it into four equal sections. In the centre, at the intersection of the avenues, is a raised mound supporting a flagstaff and surrounded by the graves of a number of officers. It is enclosed with a neat and substantial white wooden fence, with an arched gateway at the main entrance, upon which is inscribed in large letters, "U. S. National Cemetery." At the entrance is also a neat lodge for the accommodation of the superintendent.

The remains of 12 officers and 1,309 soldiers are interred in this cemetery.

The walks and avenues are paved with white quartz rock, the graves and grass plats are neatly dressed, and there is an abundant supply of young forest trees growing within the enclosure. The effect of the whole is very pleasing to the eye, and the care which has been taken is creditable to the officers intrusted with the work.

The bodies buried here are mostly those of the soldiers who died in hospital during the encampment of the army of the Potomac at Brandy station in the winter of 1863-'64, and of those who fell in the various skirmishes at the Rappahannock and Rapidan rivers in 1863 and 1864. About 351 were brought from the battle-field of Cedar Mountain.

#### WINCHESTER NATIONAL CEMETERY, VIRGINIA.

This cemetery is situated upon the farm of Jacob Baker, near Winchester, Frederick county, Virginia, and contains the remains of 4,411 Union soldiers, (of which 2,087 are known and 2,324 are unknown,) gathered within a radius of 40 miles of Winchester.

It is enclosed with a substantial wooden fence, with gateways at the principal entrances. The graves are sodded, and have each a headboard properly lettered and numbered. The cemetery is drained by paved gutters, and the walks and avenues which divide the sections have been well gravelled. A lodge has also been built for the accommodation of the superintendent.

Such other improvements are being gradually made as are necessary to the fit adornment of the grounds.

#### COLD HARBOR NATIONAL CEMETERY.

This cemetery is situated in Hanover county, Virginia, on the farm of Miss Indiana Slaughter, on the White House road, six miles from Mechanicsville and ten miles north of Richmond. It contains one and one-sixth acre of land and 1,930 graves.

The cemetery is in a square form. Gravel walks seven feet wide intersect the ground from north to south and east to west, dividing it into four equal sections. In the centre a mound is raised on which is planted a flagstaff, and the national colors are kept flying in all pleasant weather.

In the northern portion of the cemetery are two large common graves, in which are buried the remains of 889 unknown United States soldiers.

The ground has been enclosed by a neat and substantial wooden white fence. Wooden tablets, giving the name, rank, regiment, company, and date of death, mark each grave, and all care has been taken to improve and beautify this cemetery which the means at the disposal of the local officers would allow.

This cemetery contains the bodies of many of those who fell in the battles of Mechanicsville, Savage Station, Gaines's Mills; and also of those who fell at the battle of Cold Harbor on the 3d of June, 1864.

#### YORKTOWN NATIONAL CEMETERY.

This cemetery is located on the extension of the Williamsburg or main telegraph road, leading from Yorktown to Fort Monroe, Virginia. It is about three-quarters of a mile from Yorktown and about half a mile from the York river, and the same distance from the fortifications.

The ground is undulating, and rises some 40 feet above the York river. The site taken is the most suitable one for cemeterial purposes in that vicinity, and is within a hundred yards of the spot where the British surrendered to the American forces in October, 1781. This ground was within the rebel lines during the siege of Yorktown in April and May, 1862, but was outside of their interior main work or citadel.

This cemetery covers  $2\frac{1}{2}$  acres of ground, and is in excellent condition. It is divided into sections, intersected by walks and avenues well graded and gravelled. There is a mound in the centre of the grounds on which

a flagstaff has been erected. Each grave is provided with a headboard properly inscribed.

This cemetery is enclosed by a substantial picket fence five feet high, in good order, and trees and shrubbery abound.

Interments of deceased Union soldiers in this cemetery began July 13, 1866, and were completed February 23, 1867, under the direction of Brevet Lieutenant Colonel J. M. Moore, chief quartermaster first military district, of Richmond, Virginia.

The bodies interred here were removed principally from the White House Landing, King and Queen's Court-house, Cumberland Landing, King William Court-house, Williamsburg, West Point, and Warwick Court-house, Virginia.

#### STAUNTON NATIONAL CEMETERY, VIRGINIA.

This cemetery is situated at Staunton, Augusta county, Virginia. It contains the remains of 749 United States soldiers, of which 230 are known and 519 are unknown. Each grave has an appropriate headboard properly marked. It is enclosed with a wooden fence and divided by gravel walks into four rectangular sections. At the main entrance is a lodge for the accommodation of the superintendent; and such other improvements have been made as were necessary for the appropriate adornment of the grounds.

#### NATIONAL CEMETERY, FORT HARRISON, VIRGINIA.

This cemetery is situated near Fort Harrison, eight miles east of Richmond, Virginia, on land belonging to Messrs. Childrey & Cox. It contains nearly one acre of ground, beautifully located, and presents a very attractive appearance. Operations on this cemetery were commenced in May, 1866, and were completed July 14, 1866.

The whole enclosure is surrounded by a serviceable paling fence. Walks have been laid off intersecting the grounds from north to south and east to west. A flagstaff has been erected on a mound in the centre of the cemetery, from which floats, in fair weather, the national standard.

The bodies interred here were brought from the neighboring farms, where they were buried during the operations against Richmond under General Grant in the summer of 1864, as they were killed in the assaults on the works or died in field hospitals.

The number of interments of deceased Union soldiers made in this cemetery is as follows, viz: white, known, 175 graves; unknown, 412 graves; colored, known, 59 graves; unknown, 168 graves; total, 814—all of which are provided with suitable headboards, properly inscribed.

#### NATIONAL CEMETERY, GLENDALE, VIRGINIA.

This cemetery is located on the Quaker road, two miles from Malvern Hill and 14 miles from Richmond, Virginia. This was the immediate locality of the fight called the "battle of Nelson's Farm," or "Glendale," which was fought on the afternoon of June 30, 1862, being the fifth day of the seven days' fighting on the retreat of the army of the Potomac to Harrison's Landing, under General McClellan. The battle of Malvern Hill, which was fought July 1, 1862, took place two miles further east, on the following day.

The surrounding country is gently undulating, well timbered, and in good state of cultivation.

The site selected for the cemetery is laid off in the form of a circle and divided into four sections. In the centre is raised a mound, on which is erected a flagstaff, where the national colors are daily displayed. The entire enclosure, comprising two and one-tenth acres, is surrounded by a paling fence in good order.

Operations at this cemetery began May 7, 1866, and were completed July 14, 1866, under the direction of Brevet Lieutenant Colonel J. M. Moore, chief quartermaster first military district.

Each grave is distinctly marked by a neat white tablet bearing the name, rank, regiment, &c., of the deceased soldier.

The bodies interred in this cemetery were principally collected from Malvern Hill, Frazier's Farm, Charles City Court-house, &c., and are in numbers as follows, viz:

Known .....	237
Unknown.....	960
Total.....	<u>1,197</u>

#### RALEIGH, NORTH CAROLINA, NATIONAL CEMETERY.

This cemetery is situated north of the city boundary of Raleigh, Wake county, North Carolina, one and a half mile from the depot of the North Carolina and the Raleigh and Gaston railroads.

It embraces about four and a half acres of ground, and the land originally belonged to the State of North Carolina.

The land is high and somewhat rolling, with a fine view of the surrounding country.

Interments were commenced in this county in the spring of 1865, when General Sherman had possession of the city, and the work of interment was completed in the fall of 1867.

This cemetery contains the remains of such Union soldiers who died at Raleigh and vicinity, and the bodies of those who were originally buried at Goldsboro', Averagesboro', Bentonville, Greensboro', Henderson, Franklinton, and Smithville, North Carolina, have been removed thereto.

The cemetery proper is laid out in square lots, having avenues running from north to south, and from east to west, through the centre of the cemetery, also a carriage road running around the cemetery. These lots are separated by suitable walks, all of which have been gravelled. A flagstaff has been erected in the centre of the cemetery; all the graves are marked with suitable headboards, properly lettered and numbered. The cemetery is surrounded by a plain substantial board fence, in good order. Trees and shrubbery will be set out at an early day, and everything needed to ornament the cemetery, so as to make it a fitting resting place for the fallen heroes of the nation, will be done.

A superintendent has been appointed to take charge of this cemetery.

The number of soldiers buried in this cemetery is as follows, viz:

Known .....	648
Unknown .....	539
Total.....	<u>1,187</u>

#### WILMINGTON, NORTH CAROLINA, NATIONAL CEMETERY.

This national cemetery is located one mile east of the city of Wilmington, North Carolina, and one and a half mile from the Cape Fear river,

and about the same distance from the depot of the Wilmington and Weldon railroad. It embraces about five acres of land, which originally belonged to I. D. Rittenberg.

The land is high and rolling. The site is a good one and well adapted for cemeterial purposes.

Interments were made in this cemetery from February to April, 1867. It contains the remains of those Union soldiers who were originally buried at Fort Fisher, Smithville, Cape Fear river, and at points along the Wilmington and Manchester and the Wilmington and Weldon railroads, and some who were removed from the city cemetery and the Lutheran cemetery at Wilmington.

The cemetery proper is laid out in square lots or blocks, having a centre avenue, 16 feet in width, running from the south to the north side of the cemetery; and also one of the same width extending around it. These avenues are graded. The lots are separated by walks five feet in width. A flagstaff has been erected in the centre of the cemetery, and about 180 live oaks and a quantity of plants, flowers and shrubbery are now set out, and grass seed has been sown. A large majority of the graves are marked with suitable headboards, properly lettered and numbered, and the remainder are in process of being marked in the same manner. The cemetery is surrounded by a substantial picket fence in good order. All other necessary improvements, with a view to ornamenting the cemetery, will soon be made.

A superintendent has been appointed to take charge of this cemetery.

The number of soldiers buried here is as follows, viz:

Known .....	699
Unknown.....	1,360
Total.....	<u>2,059</u>

#### SALISBURY NATIONAL CEMETERY, NORTH CAROLINA.

This cemetery is situated near Salisbury, Rowan county, North Carolina, which is on the North Carolina railroad, and about 132 miles west of Raleigh.

Originally there were two soldiers' cemeteries at Salisbury, North Carolina. The principal one is situated on a small hill, about three-fourths of a mile southwest of Salisbury, and about 20 miles south of the North Carolina railroad, and is enclosed with a neat picket fence, and contains about two and a half acres of ground.

It contained 18 trenches, in which were buried without coffins or boxes, and without any means of identifying them except (16 belonging to the masonic fraternity) about 12,000 bodies of deceased Union soldiers, who died while confined in the Salisbury prison, and in hospitals near the "stockade," during the rebellion, and 206 who were removed from the Lutheran cemetery at Salisbury, and from along the North Carolina railroad.

The burial of these soldiers in so cruel and inhuman a manner was done by Sergeant Harris, under the orders of Major Gee, both of the rebel army. Out of some 9,000 or 10,000 soldiers confined there, over 5,000 fell victims to the cruelties of the rebels then in charge, by starvation and disease.

The other, called the Lutheran cemetery, was situated about 150 yards northwest of the railroad depot.

The exact number of graves of Union soldiers could not be ascertained



on account of the indiscriminate burial of rebels in the same ground, also on account of the irregularity of the graves, and of the want of head-boards.

In this cemetery were buried 14 Union soldiers, who, upon taking the oath of allegiance to the rebel government, were admitted into the rebel hospitals, where they afterwards died. There is no record of State, regiment, or arm of service of these men, no head-boards, at their graves, and they could not be identified.

The bodies in this cemetery, and those in the vicinity of Salisbury, estimated about 200 in number, have been re-interred in the principal cemetery.

The construction of the cemetery began in 1863, and was used during the war as a prison cemetery by the rebels to inter Union soldiers, prisoners of war.

It is laid out in square lots, excepting 18 trenches, averaging 259 feet in length, running from north to south. The trenches are each surrounded by a wall about one foot in height, which is to be filled up with earth, making a mound over the trench; and grass seed is to be sown. The paths are to be neatly gravelled, trees set out, and wooden tablets painted white to be erected, with the following inscription in black letters: "United States soldiers, unknown."

In the centre of the cemetery is to be raised a mound or circle 30 feet in diameter with a proper flagstaff in the centre.

The whole to be surrounded by a neat and substantial fence, well white-washed, with a neat gateway, over which will be an arch bearing the inscription, "U. S. National Cemetery," and such other improvements carried out as will tend to make the appearance of the place neat and attractive.

#### BEAUFORT, SOUTH CAROLINA, NATIONAL CEMETERY.

This national cemetery is situated about three-quarters of a mile from the town of Beaufort, South Carolina, and one-half mile from Beaufort river.

It contains  $27\frac{1}{2}$  acres of land; the ground is high, but only a very little rolling; and the cemetery is beautifully situated.

It is surrounded by a neat picket fence, with a substantial double gate for a carriage way, on the south side, over which is erected an arch, and with smaller gates on either side for foot travellers; all of which are in good order.

The construction of this cemetery was commenced in 1863, and will be completed about the first of May, 1868. The bodies interred in this cemetery, and those expected to be interred there, are the remains of deceased Union soldiers who were originally buried at the race-course and at the Potter's Field cemetery, at Charleston, South Carolina, at Port Royal, St. Helena, Cave island, Otter, Bray's, Paris, Henry, Morris, Edisto, Folly, James, Sullivan, and Beaufort islands; also, from Hilton-Head, and from points on the Savannah railroad, Georgia, Pocatigo bridge, Stony creek, Mitchell's place, Elliott's farm, and from Millen national cemetery, Georgia. The cemetery proper is laid out in the form of a half-circle, with avenues diverging from the main entrance, and with paths intersecting these avenues almost at right angles. It has also a carriage-road running around the cemetery, and all of these roads have been properly graded and drained. A flagstaff is being erected at the main entrance, and a mound is to be raised around it ten feet high, and thirty feet diameter at the base.

The graves are all to be marked with suitable headboards, properly numbered. Five wells are being sunk, which will furnish a full supply of water for the superintendent and visitors, and all that may be needed for irrigation.

Two hundred trees have been set out here. Shrubbery has been planted, and everything will be done to ornament the cemetery, and to make it a suitable resting-place for the brave men who lie there. A superintendent has been appointed to take charge of this cemetery, and a lodge for his accommodation will be built.

The number of soldiers buried in this cemetery is as follows :

Number known.....	3,282
Number unknown.....	2,842
To be brought hereafter.....	2,800
Total.....	<u>8,624</u>

#### FLORENCE NATIONAL CEMETERY, SOUTH CAROLINA.

This cemetery is situated about one mile southeast of the town of Florence, in Darlington district, South Carolina, which is near the intersection of the Wilmington and Manchester and the Charleston and Northeastern railroads, and about 102 miles north of Charleston, South Carolina.

The cemetery is one and a half mile from the Northeastern railroad depot, and one-fourth of a mile from the Florence prison stockade.

There were originally two burial places here, about 400 feet apart; the larger one covering an area of about four acres of ground, and containing about 2,322 graves; the smaller one covering about one acre of ground, and containing about 416 graves.

The bodies in the smaller cemetery and other scattered remains have been removed to the larger one, which now contains the graves of 27 known and 2,768 unknown soldiers—2,795 in all. It contains four acres of land, originally the property of Dr. Janot.

The graves are arranged in rows, close together, numbering about 50 graves in each row.

New headboards of suitable form have been placed at the graves, bearing the original marks and numbers (running as high as 2,482) found on the old headboards. These numbers, it is thought, will correspond with those on the records kept by the officer in charge of the "prison pen," if those records are ever recovered.

A liberal reward has been offered for the records by the Quartermaster General, which will be paid upon their delivery to him.

Sufficient space is left on each headboard to insert the name, regiment, &c., of the soldier, if ever ascertained. The soil is a sandy loam, and well adapted for the purpose of interments.

The location is pleasing; and, although low and somewhat flat, yet, from the nature of the soil, the water that falls is immediately absorbed and leaves the ground dry.

This cemetery is now enclosed with a neat and substantial post and board fence, five feet high, and well whitewashed.

A flagstaff, bearing the stars and stripes, is to be erected in the centre of the cemetery; and such walks and avenues as are necessary to a proper access to the different parts of the ground have been laid out and well gravelled. They divide it into square lots, running through the centre from north to south and from east to west.

Trees and shrubbery are being set out, and the surface well drained; and such other improvements are being made as are necessary to give the grounds a neat and attractive appearance. A superintendent has been appointed from among the soldiers disabled in the rebellion to take charge of the place; and a lodge for his accommodation is being built at the main entrance.

#### ANDERSONVILLE, GEORGIA.

This cemetery is situated at Andersonville, Sumter county, Georgia, 60 miles south of Macon, Georgia, on the Southwestern railroad, and contains about 75 acres of land, formerly the property of B. B. Dykee, which was seized from the "confederates" and held by the United States as a national cemetery.

The cemetery is at present enclosed by a rail fence, and the bodies are buried in trenches, on the site selected by the rebels, about 300 yards from the "stockade" or "prison-pen," where, during the rebellion, so many Union soldiers suffered untold miseries and death at the hands of the rebels while confined there as prisoners of war.

The bodies were buried in parallel trenches, without coffins or boxes, but headboards have been erected to most of the graves, with proper inscriptions. There are the remains of 13,579 deceased Union soldiers and 99 sailors interred in this cemetery, as follows:

Number known.....	12,647
Number unknown.....	923
Sailors known.....	99
Total.....	<u>13,669</u>

Besides the victims of the "prison pen" at Andersonville, about 200 bodies were removed to this cemetery from Milledgeville and vicinity, Macon and vicinity, Sanderville, Irwinton, and Americus, Georgia.

#### MILLEN NATIONAL CEMETERY, GEORGIA.

This cemetery is situated at Lawtonville, near the "stockade," five miles from Millen, Georgia, which is on the Central Georgia railroad, 79 miles northwest of Savannah.

Originally there were two burial places here. The larger one was situated one and a half mile south of Hack's mill, and contained three trenches, holding respectively 150, 319, and 491 bodies; in all, 960. The smaller was situated one mile southwest of Hack's mill, and had but one trench, containing 682 bodies.

There were also four scattered graves outside.

These two burial places have been consolidated, and the scattered bodies reinterred with the rest. A substantial board fence, well white-washed, encloses the cemetery; and suitable headboards, painted white, and lettered in black, have been erected at the graves of those who could be identified. The records kept by the officer in charge of the stockade, under the rebel General Winder, are supposed to have been taken away or concealed, and as yet have not been recovered. A liberal reward has been offered by the Quartermaster-General for the recovery of these records, which offer is still outstanding.

A suitable space has been left upon the headboards at the graves of those not identified to insert the name, regiment, &c., of the soldier, if ever ascertained.

## BROWNSVILLE, TEXAS, NATIONAL CEMETERY.

This cemetery is situated on the United States reservation, on an island formed by a lagoon, and is 100 yards from the Rio Grande river, and 200 yards southeast of the government barracks at Brownsville, Texas.

It contains 25½ acres of land, which is low and broken by short gulches running in irregular lines over the entire island.

Operations on this cemetery were commenced in February, 1868, and will be completed in August or September of this (the same) year. It is laid out in square lots, separated by walks 10 feet wide, with an avenue 20 feet wide extending around the entire island and through the centre of the cemetery. A flagstaff is to be erected in the centre of the grounds.

The remains of 920 deceased Union soldiers, 615 of whom are known and 305 are unknown, are interred here. It is expected that about 1,100 more bodies will be removed to this point from White's ranch, Brazos Santiago, Redmond's ranch, Roma, Ringgold barracks, Victoria, Lavacca, Placido, Indianola and vicinity, Corpus Christi, and Point Isabel, Texas.

## SAN ANTONIO NATIONAL CEMETERY, TEXAS.

This cemetery is situated on what is called Powder-house hill, about one mile east of the city of San Antonio, Texas, and three miles west of the Salado river, on the San Antonio and Sulphur Springs road. It stands on a high plateau, and contains about two acres of land, which forms a portion of what was formerly the city cemetery. It is covered with a fine mesquite sward, and dotted quite plentifully with chaparral shrubbery, giving to the place an attractive and picturesque appearance.

The grounds have been enclosed with a substantial stone wall, and they have been laid out in drives and walks. A flagstaff, 70 feet in height, has been erected in the centre. The graves are all marked with stone headblocks, with suitable inscriptions.

The interment of deceased Union soldiers in this cemetery commenced in December, 1867, and was completed in April, 1868. The bodies were removed from various parts of the city cemetery, from the Medina and Salado rivers, and from Austin, and number as follows:

Known .....	132
Unknown .....	61
Total .....	<u>193</u>

## NATIONAL CEMETERY, GALVESTON, TEXAS.

This cemetery is situated on what is known as "block 162," extending from Broadway to avenue K, Galveston, Texas. It contains 2½ acres, which was originally the property of the "Galveston City Company." The ground is low and flat, but from its situation is not subject to overflow under ordinary circumstances.

The cemetery is enclosed by a new and substantial picket fence, five feet high, in good order, and is laid out with walks and carriage drives.

A suitable flag-staff has been erected, and the graves have been provided with neat headboards, properly inscribed. One hundred and fifty of the bodies interred here were removed from Lavaca, Green lake, Victoria, Camp Stanley and the Placido river, Texas; the remaining 231 bodies were originally interred at Galveston.

The whole number is as follows, viz:

Known .....	345
Unknown .....	38
Total .....	383

#### SOLDIERS' BURIAL LOT IN THE CAVE HILL CEMETERY AT LOUISVILLE, KENTUCKY.

During the continuance of the rebellion and for some time after the cessation of hostilities, extensive hospitals for the reception of the sick and wounded, sent back from the front, were maintained at Louisville.

Of those who died in these hospitals, many were taken away by their friends and buried at their homes; this was the case especially with those belonging in the States which border on the Ohio river.

Very large numbers were, however, interred in grounds purchased by the United States in Cave Hill cemetery.

The burials were all made under the immediate supervision of the regularly-appointed keeper of the cemetery, and a careful and accurate record of each interment was kept on the books of the cemetery, and the graves were so numbered that all can be identified with unerring certainty. Their record has been the chief source of information in the preparation of the list of original burials. Of the entire number of deaths which occurred in the hospitals at Louisville, only 934 can now be found on record in the office of the Surgeon General at Washington.

In the spring of 1867, 732 additional interments were made in this cemetery of dead gathered up at various points on the Louisville and Nashville railroad, as far south as Rowlett Station, and from points on the Kentucky side of the Ohio river as far down as Henderson. The dead thus removed are buried chiefly in section D, a few only in section C. Among the latter are 12 men of the 32d Indiana infantry, graves Nos. 1 to 12, who were killed at Rowlett Station on the 17th December, 1861, in a fight between the rebels, numbering 3,000, and 500 men of General Willich's command. This was the first fight that occurred in the invasion of Kentucky, and these men, all Germans, were the first victims who fell in battle in the State. They were honorably buried within the enclosure at Fort Willich, near Mumfordsville, and the graves were appropriately marked by a stone tablet bearing the following inscription, neatly sculptured in German:

"Here rest the first heroes of the 32d Indiana German regiment, who laid down their lives for the preservation of the Constitution of the Republic of the United States of North America. They were killed December 17, 1861, in a fight with the rebels at Rowlett Station, Kentucky, in which one regiment of Texan rangers, two regiments of infantry and a battery of six cannon, over 3,000 strong, were defeated by 500 German soldiers."

The State of Kentucky gratefully recognized the sacrifice of these men by purchasing the ground on which they were buried and protecting it by an enclosure.

With the consent of the governor of Indiana they were removed to the Cave Hill cemetery, and reinterred in the order of their original burial. The stone tablet was also transferred, and it has been handsomely mounted upon a solid stone pedestal or base, at an expense of \$100, contributed by the loyal Germans of Louisville.

The total number of interments of Union soldiers in the cemetery is 3,871, representing the extraordinary number of 596 regiments.

Of the original burials all are identified, and of the additional, 196 are known and 536 unknown.

A portion of the graves occupy a level plat upon the summit of a hill, where a foundation has been laid for a monument, but no funds have as yet been provided for its erection. The larger number of graves are arranged in curved lines, occupying the slope of the hill, and are all overlooked by the monumental site.

An appropriation by each State represented of a small sum per head for each of its soldiers buried in this cemetery, would create a respectable fund for the erection of an appropriate monument, and this sum could be, if necessary, largely increased by contribution from the patriotic citizens of Louisville.

A plan like this, properly inaugurated for all the national cemeteries, would no doubt meet the approval and enlist the earnest co-operation of all the States. Each of these beautiful spots that has been selected and adorned with so much care and expense by the government, as resting places for the remains of its noble dead, would be crowned with the glory of national monuments on which each State would thus inscribe its records of grateful remembrance.

The graves at present are designated by small headboards painted white, and numbered to correspond with this record. They are all neatly sodded, and are kept in order at the charge of the cemetery corporation.

The borders of the sections and the vacant spaces between the graves are being handsomely adorned with shrubbery and roses from funds furnished by the ladies of Louisville and an appropriation of some surplus funds in the hands of the local agents of the United States Sanitary Commission. Their work is being done under the direction of W. B. Belknap, and other gentlemen of Louisville.

The Cave Hill cemetery is adjacent to the city on the Bardstown pike, and at the terminus of Broadway. It is beautifully laid out, and is not surpassed in the beauty of its natural features, or the taste of its design, or in the costliness of its monuments, by any rural cemetery in the country.

A permanent keeper has been appointed by the government to reside at the cemetery to wait upon visitors, and to give information to friends visiting the soldiers' graves. His address is William Hele, superintendent Cave Hill national cemetery, Louisville, Kentucky.

#### LEBANON NATIONAL CEMETERY, KENTUCKY.

This cemetery is located  $2\frac{1}{4}$  miles southwest from the town of Lebanon, Marion county, Kentucky, and contains  $2\frac{3}{8}$  acres.

It is neatly laid off in sections and plats, and the graves are arranged in rows, with a space of  $3\frac{1}{2}$  feet between each row, intersected by walks and avenues varying from 6 to 12 feet in width, which are well gravelled.

A stone wall is now being built to enclose this cemetery, and a lodge for the accommodation of the keeper is in process of construction.

The bodies interred in this cemetery were mostly disinterred and removed thereto from the following scattered localities in Kentucky, viz: Lebanon and vicinity, Rolling Fork, Green River bridge, Greensburg, New Market, Campbellsville, Salama, Neatsville, New Haven, Calvary church, Bardstown and vicinity, and other scattered points within a radius of 50 miles from Lebanon.

The total number of interments already made is 865, all of which are provided with suitable headboards properly inscribed.

## CHATTANOOGA.

This cemetery is situated  $1\frac{1}{4}$  mile southeast of the city of Chattanooga, Hamilton county, Tennessee, and within 80 feet of the Western and Atlantic railroad. It contains nearly 75 acres of ground, which is high, rolling, and very picturesque, and which is enclosed by a substantial stone wall four feet high, with two entrances.

The ground is laid off in irregular, oval-formed sections, separated by well macadamized walks and avenues, with a beautiful drive 24 feet wide around the whole cemetery.

Trees and shrubbery abound in great quantities, and nearly 100 marble headstones and monuments have been erected by the friends of the deceased. Headboards properly numbered or inscribed mark every grave not thus provided.

A flagstaff has been erected in the centre of the cemetery, from which fly the national colors, in fair weather, from sunrise to sunset.

The remains of deceased Union soldiers interred in this beautiful cemetery are mostly those who were killed or died from wounds received at the battles of Chickamauga, Missionary Ridge, and Lookout mountain, Tennessee, which were fought in August and September, 1863, between the armies of Generals Rosecrans and Bragg; and, also, about 1,400 from the hospital burying grounds at Resaca and Dalton, Georgia, and are as follows:

Number known .....	8, 034
Number unknown .....	4, 890
Expected hereafter .....	40
Total .....	<u>12, 964</u>

## CORINTH, MISSISSIPPI.

This cemetery is situated about three-fourths of a mile southeast from the railroad depot at Corinth, Tishamingo county, Mississippi, and near the crossing of the Memphis and Charleston and the Mobile and Ohio railroads.

It covers an area of 20 acres, and is enclosed by a substantial wooden picket-fence, and is laid off in sections, intersected by well-gravelled walks and avenues.

The main avenues have been ornamented by excellent shade trees and evergreens, and a number of trees has been set out at uniform distances around the entire grounds near the fence.

The cemetery is located on a commanding eminence, and a flagstaff has been erected on the summit of the hills from which floats, in fair weather, the national colors.

A lodge for the accommodation of the keeper has been constructed near the main entrance, and a permanent supply of water has been sunk within the enclosure, and is protected by a neat and tasteful structure.

The original headboards have all been preserved, and are numbered and arranged for the convenient reference of friends.

The whole number of interments made in this cemetery is 5,594, (of which 1,786 are known and 3,808 are unknown,) representing 273 regiments from 15 different States.

These dead were gathered from the scenes of some 15 or 20 battles or

skirmishes; from Corinth, Iuka, Holly Springs, Guntown, and Farrington, Mississippi; and from Hatchie river, Parker's Crossroads, Middleburg, and Britton's lane, and from various scattered camps and hospitals in Tennessee and Mississippi.

It is hoped by the future discovery of missing hospital records, that the large proportion of "unknown" in this cemetery will be materially reduced.

#### SHILOH NATIONAL CEMETERY, PITTSBURG LANDING, TENNESSEE.

The Shiloh national cemetery, at Pittsburg Landing, Tennessee, is situated on the west bank of the Tennessee river, just below the landing, and on the bluff immediately overlooking it. It contains 10 acres of ground, and is enclosed by a rough stone-wall of the most substantial character. A convenient lodge has been erected, and a permanent keeper is stationed at the cemetery. A flagstaff has been erected on the bluff, overlooking the river, from which the Union flag is kept constantly floating. The grounds are laid off into sections and groups by avenues and walks, neatly graded and gravelled.

The number of interments in this cemetery is 3,583, of which 2,358 are at present unknown.

They represent 203 regiments from 13 different States, besides colored troops and employes. The graves are all designated by headboards, numbered to correspond with the printed Roll of Honor.

These remains have been collected with great care from their scattered graves through that wild and desolate country, and on the line of the Tennessee river, from Fort Henry to the foot of the shoals, and from no less than 565 separate localities.

The most interesting feature of this cemetery will be found in the numerous regimental groups, of which there are no less than 29. These were originally buried upon the battle-field by their comrades, and great care has been taken to preserve the original arrangement.

Occasionally the addition of a few scattered graves has been made to the original group.

On no other battle-field through the entire south and southwest does there seem to have been so great care and pains taken in the burial of the dead and in providing for their future identification. In the case of some of the regiments, even after the lapse of five years, and the exposure of the headboards to the annual ravages of fire, every grave has been identified.

#### KNOXVILLE NATIONAL CEMETERY, TENNESSEE.

This cemetery is situated about three-fourths of a mile west of the city of Knoxville, Knox county, East Tennessee, and contains nearly 10 acres of land, formerly the property of John Damron.

It is beautifully laid out in concentric circles, with walks and avenues (which have been macadamized with broken rock) radiating from the centre, where a flagstaff has been erected, from which floats a beautiful national flag, presented by the ladies of Knoxville.

It is enclosed by a substantial panel fence. The graves are well sodded and are provided with numbered stakes to correspond, with the records kept by the superintendent, for whose accommodation a lodge has been erected.

The remains of deceased Union soldiers interred in this cemetery com



prise all those removed from various localities in East Tennessee, Kentucky, Virginia, and Ashville, North Carolina, and are as follows:

Number known .....	2, 079
Number unknown .....	1, 074
Total .....	<u>3, 153</u>

#### JEFFERSON BARRACKS, MISSOURI.

This cemetery is situated on the Jefferson Barracks reservation, 10 miles south of St. Louis, Missouri, and 704 feet west of the Mississippi river, and contains 20½ acres of land, which is high and rolling, presenting a very beautiful appearance, and is in every respect admirably adapted to the purposes of a national cemetery.

It is laid out in sections, intersected by walks and avenues, and is enclosed by a substantial picket fence.

The remains of the deceased Union soldiers interred here were principally removed from Macon City, Patterson and vicinity, Greenville, Bloomfield, Huntsville, Jefferson City, Missouri, and from the Wesleyan and Christ Church cemeteries, St. Louis, most of whom died in hospitals at St. Louis, Missouri.

Headboards, properly inscribed, are being erected, and other improvements made to render this cemetery still more attractive.

The number of interments of deceased Union soldiers already made is as follows:

Number known .....	6, 714
Number unknown .....	1, 887
Total .....	<u>8, 601</u>

#### JEFFERSON CITY, MISSOURI.

This cemetery is situated on part of the east side of out-lot No. 39, in Jefferson City, Missouri, 2,400 feet south of the Missouri river, and contains about — acres of land, which is high and rolling. It is enclosed by a substantial picket fence, well whitewashed.

The construction of the cemetery was begun in December, 1867, and is now, with the exception of the building of the superintendent's lodge, completed.

It is divided into 12 sections, intersected by avenues and walks, covered with a thick bed of gravel.

Beautiful mounds 16 feet in diameter have been raised in the centre of sections 1, 2, 3, and 4, and headboards, numbered to correspond with the records, mark each grave.

There are now interred in this cemetery 644 bodies, as follows, viz:

United States soldiers known .....	328
United States soldiers unknown .....	307
Prisoners of war .....	3
Citizen .....	1
Children .....	5
Total .....	<u>644</u>

Most of whom were removed from Warrensburg, Georgetown, Sedalia, Smithton, Otterville, Boonville, Glasgow, and Brunswick, Missouri.

## SPRINGFIELD NATIONAL CEMETERY, MISSOURI.

This cemetery is situated on the Kickapoo prairie, three miles south-east of the city of Springfield, Green county, Missouri, and contains five acres of land, which is high, flat, and presents a very beautiful appearance, commanding, as it does, a wide view of the surrounding country.

The cemetery is beautifully laid out with walks and avenues, and will soon be enclosed by a substantial picket fence, trees and shrubbery set out, and other improvements made to render it still more attractive.

The remains of 1,514 deceased Union soldiers (of which 795 are known and 719 unknown) are interred in this cemetery, and were removed to it from the following named counties in Missouri, viz: Green, Stone, Newton, Dallas, Wright, Christian, Barry, Jasper, Dade, Laclede, Taney, McDonald, Lawrence, Polk, Webster, Barton, and Douglass; most of whom were killed, or died from wounds received at the following battles, viz: Wilson's creek, Forsythe, Newtonia, Hartsville, Carthage, Pea Ridge, Springfield, and Hartsville.

The cemetery is now in charge of a regularly appointed superintendent.

## NATIONAL CEMETERY AT FORT LEAVENWORTH, KANSAS.

This cemetery is located on the government reservation at Fort Leavenworth, Kansas, one-half mile southeast of the garrison, three miles northwest of the city of Leavenworth, and one mile from the Missouri river. It contains an area of five and eleven-hundredths acres, and originally belonged to the United States.

The cemetery is established on a plateau of land, pleasantly situated, and of considerable natural beauty, commanding a view of the government buildings, arsenal, &c., at Fort Leavenworth, besides a portion of the city of Leavenworth, Kansas.

The construction of this cemetery was commenced in the year 1858, when a part of the present ground (two acres and four perches) was fenced in by a rough board fence, and interments were begun. They continued to be made in the same enclosure up to December, 1865, when the grounds were enlarged and a new fence built; a lodge was also built for the accommodation of a hired superintendent, the underbrush was cleared away, ground levelled, and other improvements made which have been continued up to the present time.

The cemetery is laid out in divisions and sections of rectangular shape, intersected by walks and avenues.

All the known graves are provided with suitable headboards, and both those of known and unknown soldiers will be properly numbered.

The cemetery is now enclosed with a substantial picket fence, is studded with native trees, and being situated in a grove demands but little attention as to embellishment.

The number of deceased Union soldiers interred in this cemetery is as follows, viz:

Number known .....	324
Number unknown .....	82
Total .....	406

It is intended soon to remove to this cemetery the bodies of about 556 deceased soldiers from the following points, viz: Weston, Platte City, Mount Mara cemetery, St. Joseph, City cemetery, St. Joseph, Kansas

City, and Independence, Missouri; from the cemetery on the arsenal grounds at Fort Leavenworth, Kansas, and from scattered points in the territory embraced within these limits.

#### OAKLAND CEMETERY, KEOKUK, IOWA.

This cemetery is situated about one and a half mile west of Keokuk, Lee county, Iowa, and is an incorporated cemetery.

The ground is high and rolling, and is enclosed by a wooden fence, in good order.

The lot set apart for the interment of deceased Union soldiers is separately enclosed, and is arranged with walks and avenues.

The graves are all provided with suitable headboards, properly inscribed. There are 628 bodies interred in this cemetery, as follows, viz:

Known .....	609
Unknown .....	19
Total .....	628

#### MOUND CITY, ILLINOIS, NATIONAL CEMETERY.

This cemetery is situated about six miles east of Cairo, and one-half mile from Mound City, Illinois, and is on the north bank of the Ohio river.

It contains ten acres of ground formerly owned by the Cairo City Land Company. The land is low and flat; it is protected from overflow from the encroachments of the Ohio river by a levee which was built in 1867.

The cemetery was commenced in February, 1862, and was completed February, 1868, and contains the remains of deceased Union soldiers removed from the following named places: Cairo Crossroads, Illinois; Bird's Point, Missouri; Paducah, Kentucky; from outside the Mississippi levee, Cairo; from a point seven miles up the Mississippi river on the Illinois shore; from Fort Holt, Kentucky; from a point in Kentucky opposite Mound City, Illinois; from America, Illinois; from points between Mound City, Illinois, and America, Illinois; from Columbus, Kentucky; Belmont, Missouri; from points between Belmont, Missouri and New Madrid, Missouri; from places between Cairo and Mound City, Illinois; from Cairo, Illinois; Commerce, Missouri; Metropolis, Illinois. It also contains those who died in general hospitals during the war and were originally interred in the grounds designated as the "Old Cemetery" at Mound City.

The cemetery is laid out with walks and avenues, which are nicely gravelled. There is a great number of forest trees within the enclosure, which renders the cemetery very beautiful and picturesque. Flowering plants and shrubbery will be set out at an early date, with a view to still further ornament the grounds.

All the graves are provided with numbered stakes, which correspond with records in the office of the superintendent. Permanent headstones or blocks will soon be erected over all the graves.

The cemetery is surrounded by a substantial picket fence, in good order. An osage orange hedge is to be planted on the top of the levee around the cemetery, and as soon as it is grown sufficiently the levee will be removed. Other improvements will be made which will add to the attractiveness of the spot.

The cemetery is now under the charge of a regularly appointed superintendent, for whom a lodge has been erected in the grounds.

Known.....	1,449
Unknown.....	1,927
<hr/>	
Number of graves.....	3,378
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#### CROWN HILL NATIONAL CEMETERY, INDIANAPOLIS, INDIANA.

The soldiers' cemetery at Indianapolis forms part of the Crown Hill cemetery, which is situated three miles north of the city of Indianapolis, on the Michigan road.

It contains one acre of land originally owned by the Crown Hill Cemetery association. The ground is high and rolling, and the situation is one of great beauty.

The bodies now resting in this national cemetery were originally interred in the Green Lawn cemetery, and were removed to the Crown Hill cemetery between October, 1866, and March, 1867.

The grounds are laid out with walks and avenues, and a flagstaff has been erected. The graves are not marked by headboards, but are numbered, and are fully identified by means of records on file in the office of the superintendent of the Crown Hill cemetery.

The grounds are enclosed by the general fence which surrounds the whole cemetery. The number of soldiers buried in this cemetery is 708, all identified.

The subject of removing the bodies of the Union soldiers from the Green Lawn to the Crown Hill cemetery was first suggested to the Quartermaster General by Governor Oliver P. Morton of Indiana, and by Brevet Brigadier General James A. Ekin, deputy quartermaster general United States army.

The ground occupied by the graves of the Union soldiers was offered as a free donation by the Crown Hill Cemetery Company to the United States, on condition that the latter should expend a certain sum for improvements, but as there was no appropriation directly applicable to the latter purpose, it was considered preferable for the United States to purchase the ground, the cemetery company expending the purchase in improvements. The arrangements to this end having been concluded through the exertions of General Ekin, the cemetery was dedicated on the — of — 186— with appropriate ceremonies.

#### SPRING GROVE NATIONAL CEMETERY, CINCINNATI, OHIO.

The Spring Grove cemetery is situated six miles north of Cincinnati. It contains three lots devoted to soldiers' graves, which are owned by the State of Ohio; one of these was donated by the cemetery association, and the remaining two purchased by the State and donated to the United States for the purposes of a soldiers' cemetery.

These lots are situated on separate knolls in the best part of the cemetery, and present a beautiful appearance. The graves in the lots occupied by the remains of Union soldiers are arranged in the form of concentric circles, with intersecting walks and avenues, and are kept in excellent order by the cemetery association. The walks and avenues are well gravelled, the graves sodded, and shrubbery planted in the intervals. The interments of deceased Union soldiers in this cemetery commenced in August, 1861, and were completed in July, 1866. The graves are all

numbered to correspond with the superintendent's list, and permanent headstones or blocks will soon be erected over all the graves.

The cemetery is provided with an abundance of trees and shrubbery, and is surrounded by a substantial iron picket fence.

The number of soldiers buried in this cemetery is as follows, viz :

Number of officers known .....	15
Number of soldiers known .....	634
Number of soldiers unknown .....	6
To be brought hereafter .....	339
Total .....	<u>994</u>

#### NATIONAL CEMETERY, FORT SMITH, ARKANSAS.

This cemetery is situated on the government reservation, about one quarter of a mile from Fort Smith, Sebastian county, Arkansas, and very near the south bank of the Arkansas river. It combines about  $5\frac{1}{2}$  acres of land, which is enclosed by a substantial picket fence, well white-washed.

The grounds are laid off in sections, intersected by walks six feet, and avenues twelve feet in width, and are well provided with trees and shrubbery.

The cemetery was begun in 1832. But few interments were made here during the war. In the spring of 1866 about 100 bodies were removed from Van Buren, Arkansas, and from the various camps in the neighborhood of the fort, and reinterred in this cemetery.

The whole number now buried here is 1,579.

#### KNOXVILLE, TENNESSEE.

This cemetery is situated about three-fourths of a mile west of the city of Knoxville, Knox county, East Tennessee, and contains nearly 10 acres of land, formerly the property of John Damron.

It is beautifully laid out in concentric circles, with walks and avenues, (which have been macadamized with broken rock,) radiating from the centre, where a flagstaff has been erected, from which floats a beautiful national flag presented by the ladies of Knoxville.

It is enclosed by a substantial panel fence. The graves are well sodded and are well provided with numbered stakes, to correspond with the records kept by the superintendent, for whose accommodation a lodge has been erected.

The remains of deceased Union soldiers interred in this cemetery comprise all those who died in hospitals at Knoxville during the war, and those removed from various localities in East Tennessee, Kentucky and Virginia, and Ashville, North Carolina, and are as follows, viz :

Number known .....	2, 079
Number unknown .....	1, 074
Total .....	<u>3, 153</u>

#### NATIONAL CEMETERY, FAYETTEVILLE, ARKANSAS.

This cemetery is situated about half a mile southeast of Fayetteville, Washington county, Arkansas, which is about 65 miles north of the city of Fort Smith, and 10 miles from Prairie Grove, Arkansas.

It contains about five acres of ground, now the property of the United States, but formerly owned by David Walker and Stephen Stone.

The land is high and rolling, fronting the pleasant and picturesque valley at the foot of the mountain spurs known as the "Boston mountains" of Arkansas.

Operations on this cemetery were commenced in the spring of 1867; were completed in the autumn of the same year, under the direction of Brevet Colonel Placidus Ord, second lieutenant 1st United States infantry.

The lot enclosed is of a square form, within which is inscribed a circle, and within the circle a six-pointed star. The graves were arranged by States, in sections, each point of the star constituting a section, and also space between the points and within the circle. There are thus 12 sections.

The walks and avenues are well graded; the former being 6 feet, and the latter 12 feet in width.

The graves are provided with suitable headboards, properly inscribed, and the whole enclosure is surrounded by a wooden fence in good order.

The bodies were removed to this cemetery from various localities in the vicinity of Fayetteville, such as Pea Ridge battle-field, about 10 miles north, (where an engagement was had on the 6th, 7th and 8th of March, 1862, between the Union forces under General S. R. Curtis, and the rebels under General Price,) and also from Bentonville, Leetown, Sugar Creek valley, Keitsville and Elkhorn Tavern; also a few scattered bodies from Barry and Newton counties, Missouri, and from the Indian territory.

They number at present 1,169, and it is expected that 150 more will be added hereafter, making a total of 1,319 bodies.

#### "MONUMENT" NATIONAL CEMETERY, CHALMETTE, LOUISIANA.

The "Monument" national cemetery is situated at Chalmette, Louisiana, in the parish of St. Bernard, and fronts on the Mississippi river. It is six miles below the city of New Orleans, and one mile below the United States "Jackson Barracks."

It contains about 13½ acres of land, which originally belonged to Charles Rixner, from whom it was purchased by the city of New Orleans in 1861, and has been ceded by the city to the United States.

The ground is low and flat, and, like all the region below New Orleans, is protected from the inundations of the Mississippi river by a levee.

Although naturally not very picturesque, it has been so improved by the setting out of young cedar, arbor-vitæ and magnolia trees, and by the planting of oleanders, jessamines and other varieties of shrubs, that it now presents a very beautiful appearance.

A temporary wooden fence encloses the whole, which it is intended soon to replace by a permanent one of iron.

This cemetery was commenced by Captain N. S. Constable, assistant quartermaster United States army, then assistant quartermaster of United States volunteers, in May, 1864, and the interments to the number of about — were chiefly made from hospitals, &c., up to the year 1866. In 1867 and 1868, about 7,000 were brought here from Cypress Grove No. 2, Camp Parapet, Metairie Ridge and Algiers, Louisiana, and Ship island, Mississippi, where they were originally buried, but where the opportunities for protecting and adorning their graves were less favorable. This work of reinterment will be completed some time this summer.

The grounds here are beautifully laid out with walks and avenues, graded and shelled, and well drained. In the centre a handsome mound has been raised, and a flagstaff erected, bearing the national standard.

The graves are all marked with suitable headboards, properly numbered. Their number is as follows, viz:

Number known.....	_____
Number unknown.....	_____
Number .....	_____

Probable final total.....

The national cemetery at Chalmette is situated on ground that will be ever memorable in the annals of our country as the scene of General Jackson's greatest triumph—the battle of New Orleans.

About 600 yards northwest of the cemetery stands "Jackson's monument," from which the cemetery derives its name.

The associations and memories connected with this spot render it the most fitting location that could have been selected in the vicinity of New Orleans for a national cemetery; the ashes of our gallant dead, who fell in the late rebellion, mingling with those of the brave defenders of 1815; the same ground thus becoming the receptacle of the dust of two generations of heroes.

A neat brick "receiving tomb" is in course of construction, to receive the remains of any officers who may die in the Gulf States, while awaiting transportation to their northern homes; and a lodge for the accommodation of the superintendent will be built.

#### PORT HUDSON NATIONAL CEMETERY, LOUISIANA.

This cemetery is situated in the parish of East Baton Rouge, one and one-half mile southeast of the village of Port Hudson, and one mile east of Port Hickey, a steamboat landing on the Mississippi river, 153 miles above New Orleans, Louisiana.

It contains eight acres of land, formerly the property of Mr. James H. Gibbons. It is on a high level table land, and enclosed by a permanent picket fence.

It is arranged in four squares. Each square is laid out in sections 28 feet wide, separated by walks and avenues.

A flagstaff will be erected in the centre of the grounds, and the graves provided with suitable headboards.

The bodies interred here were removed from Morganzia, Sandy Creek, Springfield Landing; on the plain from points on the Clinton and Jackson railroad; from Prophet's island, and from the west side of the Mississippi river.

There are now 3,567 graves in this cemetery, and it is expected that about 500 more bodies will be brought here from scattered localities in the vicinity of Port Hudson and Semmesport, Louisiana.

#### NATIONAL CEMETERY, BATON ROUGE, LOUISIANA.

This cemetery is situated at the eastern extremity of the city of Baton Rouge, Louisiana, which is on the Mississippi river, 130 miles above New Orleans. It is one and a quarter mile from the steamboat landing, and about the same distance from the United States arsenal, and from the beautiful grounds of the State capitol. It is immediately adjoining the city cemetery.

It covers an area of seven and a half acres, running from west to east 1,010 feet, and from north to south 320 feet. It was originally the property of Mr. Pierre Barronne, and of Madame Simonia Bareno. It is

enclosed by a substantial wooden fence, which will eventually be replaced by one of iron.

Interment of deceased Union soldiers in this tract was commenced in January, 1867, and is still continued, but will be finished in the summer of 1868.

A central avenue — feet, and side avenue — feet in width, run through the grounds from east to west; these are crossed by foot-paths at intervals of 60 feet, thus dividing the whole into lots 60 feet square.

Trees, ornamental shrubs, and flowers have been planted to adorn the graves, and all other necessary improvements are in process of execution.

Headboards duly inscribed mark all the graves. The remains of the soldiers here buried have been removed from various localities in the immediate vicinity of Baton Rouge, together with — from Camden, Arkansas.

The total number of graves now in this cemetery is 2,891, and about 100 more scattering bodies remain to be brought in from the surrounding country and reinterred.

#### NATIONAL CEMETERY, ALEXANDRIA, LOUISIANA.

This cemetery is situated at Pineville, Louisiana, on the north side of the Red river, opposite to and about one mile from Alexandria, Louisiana.

It contains nearly eight acres of land, the property of Mrs. Poussius. The ground is high and rolling, and has a natural drainage, and is surrounded by lofty pine trees and a few oaks. It is enclosed by a substantial picket fence, with an archway at the main entrance.

Operations on this cemetery were commenced in June, 1867, and will be completed during 1868.

It is neatly laid out in squares intersected by walks and avenues, the former eight feet, and the latter 24 feet wide. A flagstaff has been erected in the centre, from which, in fair weather, float the national colors.

The graves are marked temporarily with stakes, properly numbered, to correspond with the records on file.

Permanent headblocks will soon be erected.

The bodies interred in this cemetery were removed from Fort De Russy, Yellow Bayou, Marksville, Semmesport, Shreveport, Alexandria, and the site of the old cemetery at Pineville, Louisiana, and from Marshall and Jefferson, Texas. They are in number at present as follows, viz:

Known.....	118
Unknown.....	313
Total now buried.....	<u>431</u>

Besides these, there will probably be removed to this point hereafter from the above localities about 1,500 bodies, making the final total number in all, about 1,931 graves.

#### NATIONAL CEMETERY AT FORT ST. PHILIPS, LOUISIANA.

This cemetery is situated on the left bank of the Mississippi river, 60 miles below the city of New Orleans, Louisiana. It contains about two acres of land and is located on a government military reservation.

The ground is low and inclined to be swampy, but the low places have been filled up and a levee constructed around the entire plot, in order to protect it from overflow at times of storms or high water.



The construction of this cemetery was commenced in April, 1867. It is laid out in the usual form, with suitable walks and avenues, and a mound is to be constructed in the centre, on which it is proposed to erect a flagstaff.

The greater part of the bodies interred in this cemetery were removed from the parapets of Fort Jackson, which is immediately opposite Fort St. Philips, on the west bank of the Mississippi.

All the graves are marked with suitable headboards, properly inscribed and numbered. Trees and shrubbery have been set out, and a good picket fence with an arch gateway has been built.

The number of soldiers buried in this cemetery is as follows, viz:

Number known.....	56
Number unknown.....	270
Total.....	<u>326</u>

#### FORT SCOTT, KANSAS.

This cemetery is situated one and a half mile south of Fort Scott, Bourbon county, Kansas, on the Harmanton river, and about 125 miles south of Fort Leavenworth.

It contains five acres, and was originally the property of John G. Stewart, who sold it to the Fort Scott Town Company, and by their permission is now occupied as a cemetery for the burial of deceased Union soldiers.

The ground is high and rolling and presents a very beautiful and picturesque appearance. It is enclosed by a substantial wooden fence, with suitable entrances.

It is laid out in irregular sections according to the nature of the ground, and a temporary flagstaff, 50 feet high, has been erected; about 100 trees, (maple, elm, poplar, willow and cedar,) and some shrubbery and rose bushes have been set out, and other improvements are being made to further adorn the cemetery.

Bodies have been removed to this cemetery from the skirmish fields of Bourbon and Lynn counties, Missouri, and from the old military cemetery at Fort Scott; and it is expected that about 100 more will be removed from Barnesville, Mound City, and other points along Coy's and Cow creeks.

The cemetery now contains the remains of 433 deceased Union soldiers, of which 94 are unknown; besides 74 colored soldiers, 16 rebel soldiers, and 50 employés of the quartermasters' department, and their families. Each grave is marked with a suitable headboard, properly painted and lettered.

# REPORT

## OF THE

### COMMISSARY GENERAL OF SUBSISTENCE.

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OFFICE COMMISSARY GENERAL OF SUBSISTENCE,  
*Washington City, D. C., October 20, 1868.*

GENERAL: In compliance with your directions of the 29th ultimo, I have the honor to submit this annual report of the operations of the subsistence department.

During the past year, as heretofore, a large part of the subsistence supplies required for the army have been obtained in the great market cities of the country, and, as a general course, by advertising for proposals; other modes of purchase having been resorted to only when, in the judgment of the purchasing officer, special and sufficient reasons therefor existed. Fresh beef, and to an increasing extent, flour and a few other articles, have been purchased from producers at or near the points of issue, purchases being preferably so made when articles of a suitable quality could be obtained at prices not exceeding the total cost of similar articles purchased elsewhere, and therefore most economically to the government. Most stores required for issue in the States and Territories of the Pacific coast during the past year have been purchased in San Francisco or obtained near the stations occupied by the troops. Efforts are now being made by Brevet Major General M. D. L. Simpson, assistant commissary general of subsistence, chief commissary of the military division of the Pacific, to obtain pork, bacon, and hams, required for issue in that division during the ensuing year, from the products of the Pacific coast. How far he may be successful had not at the last advices (September 29) been determined.

The near completion of one of the contemplated trans-continental railroads, and the advance made in agriculture, milling, and trade generally by the people of the Territories of Utah, Colorado, and Wyoming, will probably soon enable this department to obtain in those Territories a considerable portion of some articles of the ration required for troops stationed within those Territories.

Brevet Major General A. E. Shiras, senior assistant commissary general of subsistence, now engaged in making a general inspection of the affairs of this department on the line of that railroad, will examine into the present resources of those Territories for purposes of supplying the troops therein, and will report upon the desirableness of having an officer of this department stationed at Salt Lake City.

It will conduce greatly to the material and other interests of the country, as well as to the economical subsistence, contentment, and usefulness of the troops stationed in the newer States and Territories lying between the Mississippi river and the Pacific ocean, if the present course of affording protection to emigrants desiring to settle in the vicinity of military stations as farmers, millers, traders, &c., shall be regulated and extended. If the practice of former years of placing troops in the centre of an extensive military reservation, from which settlers were excluded, were reversed, and in its place the policy adopted of small reservations, and encouragement to settlers to occupy and cultivate the contiguous lands, erect mills, open trade, &c., under the

protection afforded by the military post, this department would doubtless soon be enabled to obtain a large proportion of the staple articles of the ration from the local producers.

During the past year there were reported to this office 686 advertisements for proposals, also 465 fresh beef and beef cattle contracts, 70 contracts for complete rations, 87 contracts for miscellaneous articles, and 1,626 contracts, consisting of written proposals and acceptances.

The average prices of fresh beef per contracts made during the fiscal year ending June 30, 1868, in the States and Territories are as follows:

State or Territory.	Price per pound.	State or Territory.	Price per pound.
Maine .....	16.5	West Virginia .....	11.6
New Hampshire .....	16	Ohio .....	11.5
Massachusetts .....	14.3	Indiana .....	08.7
Rhode Island .....	12	Illinois .....	11
Connecticut .....	15.1	Michigan .....	11.8
New York .....	13.7	Missouri .....	07.7
Pennsylvania .....	13.6	Minnesota .....	10.6
Delaware .....	16.8	Nebraska .....	12.1
Maryland .....	13	Kansas .....	08.7
District of Columbia .....	13.1	Indian Territory .....	04.8
Virginia .....	12.1	Dakota Territory .....	11.9
North Carolina .....	13.2	Wyoming Territory .....	12.3
South Carolina .....	13.1	New Mexico Territory .....	09.4
Georgia .....	13.4	Colorado Territory .....	10.9
Florida .....	08.9	Utah Territory .....	11
Alabama .....	10.4	Montana Territory .....	13.4
Mississippi .....	10	California .....	*08.9
Louisiana .....	07.8	Nevada .....	*11.8
Texas .....	05.8	Oregon .....	*10.3
Arkansas .....	08.1	Arizona Territory .....	*09
Tennessee .....	09.8	Washington Territory .....	*08.7
Kentucky .....	10.7	Idaho Territory .....	*09.5

\*Coin.

Making the average contract price per pound of fresh beef in the military division of the Pacific 9.8 cents in coin or 13.62 in currency, estimating the average price of coin for the year at 139, and at stations east of the military division of the Pacific 11.3 cents currency; showing a decrease from the previous fiscal year of 1.2 cents coin in the former, and .3 cents currency per pound in the latter section.

The average cost of the complete ration for the fiscal year ending June 30, 1868, at nine of the principal points of purchase, was as follows:

Months.	New York.	Baltimore.	Louisville.	St. Louis.	St. Paul.	Fort Leavenworth.	New Orleans.	Chicago.	San Francisco.
	Cents.	Cents.	Cents.	Cents.	Cents.	Cents.	Cents.	Cents.	Cents.
1867.—July .....	20.07	31.62	22.12	21.08	25.08	23.61	22.48	22.55	21.60
August .....	20.79	27.93	20.64	21.31	25.48	23.10	22.31	23.23	22.22
September .....	22.52	25.02	19.61	23.27	22.87	22.54	22.23	24.20	23.36
October .....	22.82	24.99	20.45	23.43	22.86	22.97	22.97	24.68	23.76
November .....	22.81	23.81	20.33	22.11	21.87	22.26	23.94	23.84	23.34
December .....	21.39	24.34	20.87	22.40	23.99	23.89	22.50	23.78	23.13
1868.—January .....	19.72	21.96	20.06	23.75	22.10	24.02	22.41	24.01	25.25
February .....	21.81	22.03	19.81	22.23	19.81	23.89	21.90	24.34	26.16
March .....	21.78	24.09	21.01	22.23	22.19	23.54	22.41	24.40	25.82
April .....	22.41	24.99	21.71	24.46	22.12	24.06	21.74	24.29	25.37
May .....	22.05	25.31	22.54	25.48	22.16	22.92	22.92	29.45	25.07
June .....	24.07	21.94	22.60	23.42	22.61	22.26	21.89	27.79	25.30
Yearly average .....	21.85	24.83	20.99	22.93	22.76	23.21	22.47	24.71	24.24

Giving as the general average for the year 23 cents 1.2 mills.

Under the requirements of section 6 of the act of March 3, 1865, and General Orders No. 64, of 1866, this department had, up to the 13th of October, 1868, the date of the last report, furnished tobacco at cost price to the enlisted men of the army to the total cost value of \$357,640 58.10, the vouchers for which have been transmitted to the office of the paymaster general, in order that the amounts found charged against the men on their proper muster and pay rolls may be duly noted for transfer at the Treasury from the appropriation for the pay of the army to that for the subsistence of the army. Up to the present date the amount so transferred is \$147,918 26, leaving a balance of \$209,722 31.90 to be transferred after the accounts shall have been duly examined and audited. During the past fiscal year the average value of tobacco furnished to the enlisted men, monthly, was \$19,366 79.

Subsistence stores to the value of \$882,684 66 were supplied by this department to freedmen and others, under the proper and authenticated requirements of the officers and agents of the Bureau of Refugees, Freedmen, and Abandoned Lands, during the fiscal year ending June 30, 1867, and to the value of \$632,776 56 in the fiscal year ending June 30, 1868, making a total for these two years of \$1,515,461 22, of which \$1,048,669 20 has been repaid to the subsistence department from the appropriations for the support of that bureau.

The total cost of army subsistence stores reported as issued for the subsistence of Indians during the year ending June 30, 1868, is \$373,926 26; the amount for the previous fiscal year having been \$644,439 22.

Under the joint resolution of July 25, 1866, for the payment of commutation of rations to Union soldiers held as prisoners of war; and the 3d section of the act of March 2, 1867, extending the provisions of that joint resolution to the heirs of such deceased soldiers, 2,870 certificates have been received and paid since my last report, amounting to 134,056, and making the total number of these claims now paid 4,944, amounting to \$250,503 25.

Under the act of July 4, 1864, for the payment, in certain cases, of claims for subsistence supplies taken and used by the army, 5,386 claims have been received, amounting to \$2,918,337 57; of this number 845 claims, amounting to \$249,955 79, have been recommended to the Third Auditor of the Treasury for settlement to the amount of \$196,929 14; and 3,545, amounting to \$2,088,373 79, have been disallowed, leaving 996 claims, amounting to \$633,034 64, still awaiting decision.

The officers of the subsistence department have during the year performed their duty with their accustomed efficiency and success, resulting in providing the troops at all times, and at nearly 300 stations, with a sufficient supply of commissary stores of satisfactory quality.

The officers of this department, with their rank and assigned stations and duties, are as follows:

*Name, rank, nature of duty, and station of officers.*

Name and rank.	Nature of duty.	Station.
COMMISSARY GENERAL OF SUBSISTENCE.		
<i>Brigadier general.</i>		
Amos B. Eaton, brevet major general, March 13, 1865.....	Commissary General of Subsistence.....	Washington, D. C.
ASSISTANT COMMISSARIES GENERAL OF SUBSISTENCE.		
<i>Colonels.</i>		
Alexander E. Shiras, brevet major general, March 13, 1865 ....	First assistant to the Commissary General of Subsistence. Temporarily absent inspecting on line of Union Pacific railroad and at Salt Lake City.....	Washington, D. C.
Charles L. Kilburn, brevet brigadier general, March 13, 1865..	Chief commissary subsistence military department of the East	New York, N. Y.
<i>Lieutenant colonels.</i>		
Marcus D. L. Simpson, brevet major general, March 13, 1865..	Chief commissary subsistence military division of the Pacific.	San Francisco, Cal.
Henry F. Clarke, brevet major general, March 13, 1865.....	Chief commissary subsistence military division of the Missouri.	St. Louis, Mo.
COMMISSARIES OF SUBSISTENCE.		
<i>Majors.</i>		
William W. Burns, brevet brigadier general, March 13, 1865..	Purchasing, depot, and issuing commissary at New York....	New York, N. Y.
Amos Beckwith, brevet major general, March 13, 1865.....	Purchasing and depot commissary at New Orleans. Chief commissary subsistence military department of Louisiana..	New Orleans, La.
John McL. Taylor, brevet colonel, March 13, 1865.....	En route to San Francisco, California, for assignment to duty as purchasing and depot commissary at that city.	
Beekman Du Barry, brevet colonel, March 13, 1865.....	Assistant to the Commissary General of Subsistence.....	Washington, D. C.
Robert Macfeely, brevet colonel, March 13, 1865 .....	Purchasing and depot commissary at Chicago, Ill. Chief commissary subsistence military department of the Lakes .	Chicago, Ill.
Thomas J. Haines, brevet brigadier general, March 13, 1865...	Chief commissary subsistence military department of the South .....	Atlanta, Ga.

George Bell, brevet brigadier general, April 9, 1865.....	Purchasing and depot commissary, Washington, D. C. Chief commissary subsistence military department of Washington .....	Washington, D. C.
Michael R. Morgan, brevet brigadier general, April 9, 1865....	Purchasing and depot commissary at Fort Leavenworth. Chief commissary subsistence military department of the Missouri .....	Fort Leavenworth, Kan.
<i>Captains.</i>		
John P. Hawkins, brevet major general, March 13, 1865.....	Assistant to the Commissary General of Subsistence.....	Washington, D. C.
John W. Turner, brevet major general, March 13, 1865.....	Purchasing and depot commissary at St. Louis, Mo.....	St. Louis, Mo.
Michael P. Small, brevet brigadier general, April 9, 1865.....	Purchasing and depot commissary at Louisville, Ky. Chief commissary subsistence military department of the Cumberland .....	Louisville, Ky.
Thomas C. Sullivan, brevet lieutenant colonel, March 13, 1865..	Under orders for assignment to duty as purchasing, depot, and post commissary at Charleston, S. C., or Savannah, Ga.	Atlanta, Ga.
John W. Barriger, brevet brigadier general, March 13, 1865...	Purchasing and depot commissary at Omaha, Neb. Chief commissary subsistence military department of the Platte..	Omaha, Neb.
Thomas Wilson, brevet brigadier general, March 13, 1865.....	Purchasing and depot commissary at Baltimore.....	Baltimore, Md.
William H. Bell, brevet major, March 13, 1865.....	Enroute to headquarters military division of the Pacific for assignment to duty as chief commissary subsistence military department of Alaska, and depot and post commissary at headquarters of that department.	
Jeremiah H. Gilman, brevet lieutenant colonel, Dec. 31, 1862..	Chief commissary of subsistence department of Dakota .....	St. Paul, Minn.
Samuel T. Cushing, brevet major, March 13, 1865.....	Purchasing and depot commissary at Austin, Texas. Chief commissary subsistence fifth military district.....	Austin, Texas.
Samuel A. Foster, brevet major, March 13, 1865 .....	Temporary duty as chief commissary subsistence military department of California .....	San Francisco, Cal.
William A. Elderkin, brevet major, March 13, 1865.....	Chief commissary subsistence first military district. Depot and post commissary at Richmond, Va.....	Richmond, Va.
Joseph G. Crane, brevet lieutenant colonel, April 25, 1865....	Chief commissary subsistence fourth military district.....	Vicksburg, Miss.
Charles B. Penrose, brevet lieutenant colonel, Nov. 11, 1867...	Depot commissary at Cheyenne, Wyoming Territory.....	Cheyenne, Wyoming Ter.
William H. Nash, brevet major, November 17, 1865.....	Temporary duty in the office of the Commissary General of Subsistence .....	Washington, D. C.
Charles McClure, brevet major, August 17, 1866.....	Chief commissary subsistence district of New Mexico.....	Santa Fé, N. M.
Andrew K. Long, brevet lieutenant colonel, March 2, 1867....	Depot and post commissary at Fort Harker, Kansas. Chief commissary subsistence district of the Upper Arkansas....	Fort Harker, Kan.

The number of officers of the army who have rendered accounts to this office for some portion of the last fiscal year is 823, the number of money accounts rendered by them having been 4,346; returns of provisions, 4,073; and returns of commissary property, (scales, measures, &c.,) 4,083; making a total of 12,502 accounts, of which 12,215 have been examined and transmitted to the Third Auditor.

At the date of my last annual report there remained in service but two commissaries of subsistence of volunteers, (captains,) Brevet Brigadier General George W. Balloch and Brevet Lieutenant Colonel E. C. Beman, valuable officers, who have recently been honorably mustered out of service, though remaining, as heretofore, in the service of the Bureau of Refugees, Freedmen, and Abandoned Lands.

The number of clerks at present authorized to be employed is forty, and until the examination of the claims required by section 3 of the act of July 4, 1864, to be made by the Commissary General of Subsistence, shall be completed, a reduction of the number cannot be made without detriment to that branch of the duties of this office.

Proper measures have been adopted, under your orders for carrying into effect the provisions of section 25 of the act of July 28, 1866, abolishing the office of sutler in the army at military posts, so far as to provide for furnishing, to be sold to officers and enlisted men at cost prices, for cash, such articles of groceries as have been designated by the inspectors general of the army to be so supplied.

As very great benefit to the public service would unquestionably result therefrom, I respectfully renew the suggestion made in my last annual report that it may be recommended to Congress to authorize the appointment of assistant commissaries of subsistence from lieutenants of the line of the army, and also the appointment of post commissary sergeants.

I have the honor to be, very respectfully, your obedient servant,

A. B. EATON,

*Commissary General of Subsistence.*

General J. M. SCHOFIELD,  
*Secretary of War.*

OFFICE COMMISSARY GENERAL OF SUBSISTENCE,  
*Washington City, November 24, 1868.*

GENERAL: In my annual report of the operations of the subsistence department, submitted on the 20th ultimo, I mentioned that Brevet Major General A. E. Shiras, assistant commissary general of subsistence, was then engaged in making an inspection of the affairs of the subsistence department on the line of the Union Pacific railroad. He having returned to this city and rendered his report, I have the honor to submit it, with its accompanying papers A, B, C, and D, with the request that it may be placed with and form a part of the annual report of this department.

I have the honor to be, very respectfully, your obedient servant.

A. B. EATON,

*Commissary General of Subsistence.*

General J. M. SCHOFIELD,  
*Secretary of War.*

OFFICE COMMISSARY GENERAL OF SUBSISTENCE,  
*Washington City, November 24, 1868.*

GENERAL: In obedience to Special Orders No. 220, from the headquarters of the army, Adjutant General's office, Washington, D. C., September 14, 1868, and your written instructions of the same date, I would respectfully report I left Washington on the 15th of September, 1868, for the depot at Cheyenne, Wyoming Territory. I chose the route through Chicago and Omaha, and passed several days in each place, looking into the markets and general subjects connected with the subsistence department.

In all my examination and inquiries at these points I received the hearty co-operation of Brevet Colonel B. Macfeely, commissary of subsistence at the former, and Brevet Brigadier General J. W. Baniger, commissary of subsistence at the latter place.

I arrived at Cheyenne depot on the evening of the 24th September, and remained there until the 1st of October. A report was rife at that place that the "Latter-day Saints," in their general convention then sitting in Salt Lake City, had passed an ordinance forbidding the Mormons from buying or selling to the Gentiles, and the weather being favorable, I determined to proceed, under your general instructions, to Salt Lake City, and ascertain how far such action would interfere with the supply of Fort Bridger and Camp Douglas with certain subsistence stores from Utah.

Taking the cars of the Union Pacific railroad at Cheyenne, I proceeded to its then terminus, four miles this side of Green river, and from thence to Fort Bridger, 64 miles, by wagon.

At Fort Bridger I remained several days, and proceeded thence by stage to Salt Lake City, and arrived there on the evening of the 9th of October, 1868.

On Sunday, the 11th of October, I heard the ordinance of the general convention proclaimed in the tabernacle of that city, and on Monday following called on Brigham Young.

In his conversation, in reply to my reference to the ordinance of the convention, he stated his readiness to sell the government the surplus productions of the country; but added that it was his intention to encourage manufactures and thus make a market within the Territory.

That his answer was in good faith I have every reason to believe; and a great change must take place in the character of the Mormon rule before Gentile manufacturers will place their fortunes if not their lives under its authority.

I left Salt Lake City on my return, on the 13th of October, and again stopped at Fort Bridger some days; met the track-laying cars of the Union Pacific railroad 33 miles west of Green river, and on its construction cars proceeded to Cheyenne depot, where I arrived on the 21st of October. Leaving Cheyenne on the 27th of October, and taking the route through Omaha and Chicago, at each of which points I remained some days, I returned to this place, and arrived here on the 7th of November.

At Omaha, on my western route, I ascertained that Brevet Brigadier General N. B. Sweitzer, 2d cavalry, acting inspector general of the department of the Platte, was then engaged in inspecting the posts on the line of the Union Pacific railroad as far as Fort D. A. Russell inclusive, and at Fort Sanders learned that Brevet Colonel R. L. Dodge, 30th infantry, acting inspector general of the mountain district, had left that post to inspect the posts between that point and Salt Lake City.

At several of the posts I met these officers, and accompanied the inspectors in their examination. To their reports I respectfully refer you for the minutes at the post.



## GENERAL REMARKS.

A railroad is now complete from Chicago to Sioux City, and I would respectfully suggest that all supplies intended for the upper Missouri be procured at Chicago and forwarded by that railroad to Sioux City for shipment. By this means the dangers of the lower Missouri will be avoided, and time gained in the transportation.

At present, the posts in the department of the Platte are supplied with most of their subsistence stores from Omaha—those on the road, with the exception of Fort D. A. Russell, direct; that post, and Forts Laramie and Fetterman, through the Cheyenne depot, by trains. The storehouses at Omaha are very good, but owing to their position on the flat of the Missouri, can have no cellars. They are raised sufficiently high to avoid the high waters of the river. Many of the articles composing the station are procured by Brevet Brigadier General Baniger, commissary of subsistence at Omaha, by advertisement.

My impression is that Chicago will prove to be a much better market than Omaha, and that many of the articles purchased by General Baniger are brought from that point.

A railroad bridge is now being erected over the Missouri at Omaha, which, when completed, will confer additional advantages on Chicago. Cars loaded at the latter point can then be forwarded direct to the posts on the plains without breaking bulk at Omaha. I would therefore suggest that hereafter, when stores (except fresh vegetables) are required by General Baniger, commissary of subsistence, advertisements for bids for such stores should be made by him at Omaha, and by Colonel Macfeely, commissary of subsistence at Chicago, and these bids should be compared before awarding a contract.

A common standard could be used by these officers in judging of the qualities of the articles required. In this connection I would respectfully call your attention to the accompanying reports of General Baniger and Colonel Macfeely, herewith appended, marked A and B.

The depot, quartermaster's and commissary's, near Cheyenne, is situated one mile and a half west of the town. I found excellent storehouses, with deep dug cellars, at this place. A switch of the road from Cheyenne conducts the cars to the platform of the storehouses, and the unloading of the stores is easily conducted.

Fort D. A. Russell is still a mile and a half west of the depot, or three miles from Cheyenne. It is a post of some twelve companies, with storehouses inferior in size to those at the depot. But few stores are kept at the fort, these being replenished from the depot from time to time. A contract had been made for fresh vegetables to be delivered at the depot, intended for the supply of Forts D. A. Russell, Laramie, and Fetterman. The bids were generally made by merchants in Cheyenne, but the vegetables were the growth of Colorado Territory. The prices were reasonable, and the vegetables, particularly the potatoes and onions, of excellent quality. The onions were similar to those of New Mexico. Preparations had been made for a garden at the depot, on the lowlands near Crow creek, and it is hoped that greater success may crown their efforts the next year than in this.

Fort Bridger is situated on a branch of Black Fork, a stream of pure cold water. The flour, salt, and vegetables for this post are procured from Salt Lake City.

The storehouse was too small for the winter supplies of the post, but when I left there a fine building was nearly completed, which was to be turned over to the assistant commissary of subsistence.

The potatoes for the winter supply of the garrison had been detained on the road by the contractor for transportation, and part of them were frosted; means were being taken to ascertain the amount of the damage, that it might be charged to the contractor.

The reservation at this post is unnecessarily large, being nearly 600 square miles, and embraces much valuable land which can easily be irrigated by Smith's, Ham's, and Black's Forks; ample water power for mills also exists on these streams. A few square miles, with special reservations of the coal-beds and woodlands, would be ample for the garrison, and the remainder might be thrown open to settlers. A market for their productions would be found at the post, and the subsistence department would be benefited by procuring some of its supplies at a cheaper rate. At Camp Douglas I found a large ample storehouse and everything in excellent order.

Under the personal supervision of its excellent commanding officer, Colonel W. H. Lewis, I am satisfied everything relating to subsistence affairs at that post will be satisfactorily administered.

The resources of Utah available for the subsistence of the army consist of beef cattle, flour, salt, and vegetables. In those seasons when the Salt Lake valley is exempt from grasshoppers, these are far in excess of the wants of the inhabitants, and can be procured at fair rates. At present there is no necessity for a commissary of subsistence at Salt Lake City, as the only points supplied with stores from that place, Fort Bridger and Camp Douglas, can be attended to by the acting assistant commissary of subsistence at the latter post. How far this state of things may be changed when a railroad connection is completed from Salt Lake to the Pacific ocean and Missouri river, it is impossible now to decide.

Enclosed herewith is a report of Brevet Lieutenant Colonel C. B. Penrose, commissary of subsistence, on the vegetable resources of the country near Cheyenne, marked C; also, an extract from the general remarks of the inspection report of Brevet Brigadier General W. B. Sweitzer, marked S, for your information.

Very respectfully, your obedient servant,

A. E. SHIRAS,

*Assistant Commissary General of Subsistence.*



Whitefish.....	per 100 hlf. bbls.	487 50																		
Codfish.....	per 100 lbs.	7 62									6 75									
Halibut.....	do.	12 50																		
Dried apples.....	do.	11 00	11 50			10 00	10 00			11 00		9 50								
Dried peaches.....	do.	27 00	9 50			9 50	11 00			15 00										
Dried currants.....	do.		16 50																	
Prunes.....	do.		25 00																	
Pickles.....	per 100 galls.	60 00					65 00			70 83		54 76		62 73		59 97				
Pickled onions.....	do.		70 00																	
Curried cabbage.....	do.		60 00																	
Sour-kraut.....	do.		50 00				70 00	65 00												
Cabbage and onions.....	do.																			
Canned oysters.....	per 100 lbs.	10 62					11 45			11 45	11 45									
Canned vegetables.....	do.	11 24					12 87			10 00										
Canned fruit.....	do.	12 70					11 45			12 50										
Canned jellies.....	do.	29 16								29 16										
Hops.....	do.		55 00																	
Starch.....	do.					13 00														
Condensed milk.....	do.									26 25										
Worcestershire sauce.....	per 100 doz.																			
Lard.....	per 100 lbs.	16 50	14 50			15 00	17 50	17 50	22 00		18 50									

*Cost of transportation of stores per 100 pounds.*

From Chicago, Ill., to Omaha, Nebraska.....	\$0 90
Sioux City, Iowa.....	1 20
Fort Randall, Dakota Territory.....	2 20
Fort Sully, Dakota Territory.....	2 50
Fort Rice.....	2 70
Fort Stevenson.....	2 80
Fort Buford.....	3 00
St. Paul, Minnesota.....	80

R. MACFEELY,  
Brevet Colonel and Commissary of Subsistence U. S. A.

**B.—Statement of the cost of subsistence stores purchased by Brevet Brigadier General J. W. Barriger, commissary of subsistence, United States army, at Omaha, Nebraska, in the months of July, August, and September, 1868.**

Articles.	QUANTITIES.			Total cost.	Average cost.	Kind and quality.	Packages used.
	Pounds.	Gallons.	Cans.				
Bacon .....	7, 149			\$1, 358 30	19 cents per pound....	Clear sides, smoked, first quality .....	Gunny sacks.
Ham .....	294			64 68	22 cents per pound....	Sugar cured, first quality .....	Do.
Flour .....	134, 900			6, 547 75	4.86 cents per pound....	Spring wheat, best quality .....	Double sacks.
Hard bread .....	1, 048			83 84	8 cents per pound....	From spring wheat, good quality .....	Poplar boxes.
Corn meal .....	498			15 03	3.02 cents per pound....	From white corn, kiln dried.....	Sacks.
Green coffee .....	7, 548			1, 862 30	24.67 cents per pound....	Rio .....	Double sacks.
Brown sugar .....	76, 287			10, 672 52	13.99 cents per pound....	Cuba .....	Barrels.
Vinegar .....		2, 720½		857 58	31.52 cents per gallon....	Whiskey, best quality .....	Do.
Candles .....	1, 020			247 35	24½ cents per pound....	Adamantine .....	30-pound boxes.
Soap .....	22, 070			2, 207 00	10 cents per pound....	German, mottled .....	60-pound boxes.
Salt .....	4, 130			61 95	1½ cent per pound....	Fine and dry .....	Barrels.
Pepper .....	204			59 16	29 cents per pound....	Black, ground, 4-ounce papers.....	Boxes.
Potatoes .....	80, 132½			2, 096 57	2.62 cents per pound....		Gunny sacks.
Onions .....	16, 980			508 37	2.99 cents per pound....		Do.
Dried currants .....	201			36 18	18 cents per pound....		Barrels.
Hops .....	876			350 40	40 cents per pound....		Sacks.
Oysters .....	2-pound		888	222 00	25 cents per can .....		Boxes.
Tomatoes .....	2-pound		1, 156	245 65	21½ cents per can .....		Do.
Yeast powders .....	½-pound		500	120 60	24 cents per can .....		Do.
Preserves .....	2-pound		2, 673	1, 577 07	59 cents per can .....		Do.
Total .....				29 193 70			

Respectfully furnished for the information of Brevet Major General A. E. Shiras, assistant commissary general of subsistence ;

J. W. BARRIGER, *Brevet Brigadier General, and G. S.*

OFFICE DEPOT AND PURCHASING COMMISSARY SUBSISTENCE,  
Omaha, Nebraska, October 19, 1868.

## C.

OFFICE OF DEPOT COMMISSARY OF SUBSISTENCE,  
*Cheyenne, W. T., October 23, 1868.*

GENERAL: Agreeably to your verbal instructions, I have the honor to make the following report in regard to the vegetable resources of this section of country:

In the immediate vicinity of the town of Cheyenne as yet no produce of any variety has been raised; but the result of an experiment of my own in raising vegetables by means of irrigation proves conclusively that any of the vegetables usually supplied to the troops can be produced with little labor. My own experiment, owing to the difficulty of damming the stream and the scarcity of labor, was delayed until the season was too far advanced, and on this account, together with the destruction of the growing crop by grasshoppers, proved a failure so far as any adequate return from the seed planted; but, nevertheless, so far as showing the practicability of the soil producing largely under favorable circumstances, the experiment may be regarded as a signal success.

The experience of the farmers of Colorado show that all crops raised by irrigation are much more abundant and more certain than those depending upon rains, but that the first two seasons after the ground is broken up the soil requires a large quantity of water, and is not so productive as after that period. Their experience also shows that from the third year the soil seems to require but little water, and only occasionally that their ditches should be opened. From this time their crops never fail unless attacked by the grasshopper, and this scourge may in a great measure be avoided by early planting. At present the sources of supply for vegetables are the bottom lands of the Cache le Poudre and the Big Thompson creeks, two streams running through Colorado 40 and 50 miles distant from Cheyenne. Here the lands are very productive, both for grain and vegetables, and large quantities of both are annually produced. The vegetables are of much larger growth and finer flavor than those produced in the last, and yield from two to three times the quantity per acre than is raised in that section. Heretofore their market has been limited to Denver and the mines of Colorado, and the total amount of vegetables raised consequently small; but with the new markets opened to the farmer by the railroad, new lands have been broken up, and this season a very much larger crop produced than formerly, and prices greatly reduced. As evidence of this, I would mention that on a letting of a contract for 450,000 pounds of vegetables, opened by me on the 24th ultimo, 3,750,000 pounds were offered, and the contract was awarded at four and three-quarter cents per pound for onions, two and a half cents for potatoes, two and a quarter cents for beets, and two cents per pound for turnips; prices as low, if not lower than those paid in the east.

In addition to fresh vegetables, large quantities of the Mexican bean are sent to this market from southern Colorado, and are sold at prices varying from seven to ten cents per pound. In my own opinion these beans are much richer in flavor and more desirable than the white bean, and besides better suited to this latitude, on account of their being easier boiled. A few have been purchased and issued to the companies at Fort Russell, with a request that the company commanders would report upon their desirability in place of the white bean. These reports have

not as yet been received, and will therefore be submitted at some future date.

I am, general, very respectfully, your obedient servant,

C. B. PENROSE,

*Captain C. S., Brevet Lieut. Colonel.*

Major General A. E. SHIRAS,

*Ass't Commissary General of Subsistence U. S. A.*

D.

[Extract.]

HEADQUARTERS DEPARTMENT OF THE PLATTE,  
ACTING ASS'T INSPECTOR GENERAL'S OFFICE,  
*Omaha, Nebraska, October 28, 1868.*

GENERAL:

\* \* \* \* \*

I found the subsistence departments at the different posts well supplied, or if any deficiency in any minor articles existed it was in the course of being supplied. The locating of the posts on or near the line of the Union Pacific railroad has lessened the price of the ration itself, and is saving a vast wastage that has formerly occurred from the wagon transportation, and the necessity of large amounts having to be stored through a long period of time at the formerly remote posts.

By the issue of canned and fresh vegetables by the subsistence department, the fearful scourge of the plains (the scurvy) is now almost extinct, only a few old cases not entirely eradicated. The subject of gardens at the different posts should be urged upon the commanders of posts. At Sanders, where an experiment was made, it has succeeded splendidly; at none of the other posts has an energetic and liberal effort been made. This has been explained by these posts either being new, or having been garrisoned too late this spring by troops who were to enjoy the fruits of the gardens. Post commanders should, through their commissaries, have grounds planted sufficient for their posts. Companies change, and on this account company officers are reluctant to plant when uncertain of reaping the fruits of their labors.

The districts of supply of fresh meats and vegetables are at present settlements of eastern Nebraska, the country around the head of the South Platte, as Cache la Poudre and Thompson's creek and Salt Lake valley; but by an effort the expense of vegetables could be much lessened by post gardens.

I would state that supplies now furnished in the subsistence department are such in variety as were never dreamt of in the army before the war.

\* \* \* \* \*

I am, general, very respectfully, your obedient servant,

N. B. SWEITZER,

*Brevet Brigadier General Second Cavalry, A. A. G.*

Brevet Brig. Gen. GEO. D. RUGGLES,

*A. A. G., Department of the Platte, Omaha, Nebraska.*

# REPORT

## OF

### THE SURGEON GENERAL.

WAR DEPARTMENT, SURGEON GENERAL'S OFFICE,  
Washington, D. C., October 20, 1868.

SIR: I have the honor to submit the following statement of finances and general transactions of the medical department of the army for the fiscal year ending July 1, 1868:

#### FINANCIAL STATEMENT.

The funds of the medical and hospital department for the fiscal year ending June 30, 1868, consisted of a balance remaining in the treasury June 30, 1867.....	\$2,909,614 08
In the hands of disbursing officers .....	72,526 25
Appropriation for the service of the fiscal year ending June 30, 1868, per act approved March 2, 1867 .....	90,000 00
Amount derived from sales of medical and hospital property.....	155,326 83
Recovered for stores lost in transportation.....	462 90
Received for board of officers in hospitals.....	1,945 03
Refundment of expenditures made on account of the quartermasters' department .....	501 85
From all other sources .....	23 53
	3,230,400 47

The disbursements during the fiscal year were—

For payment of debts contracted prior to July 1, 1867, *\$1,017,082 46	
For current expenses, viz:	
For medical and hospital supplies.....	\$250,051 64
For pay of private physicians .....	11,828 69
For pay of hospital employés.....	12,714 57
For care of sick soldiers in private hospitals .....	450 47
† For artificial limbs for soldiers and seamen.....	15,742 00
For expenses of purveying depots.....	103,466 41

\* Of this amount \$912,427 60 was merely transferred to the appropriation for discharged soldiers, and not drawn from the treasury, but subsequently carried to the surplus fund.

† Furnished during the year 154 arms, 172 legs, 6 hands, 7 feet, other apparatus 38.



Miscellaneous expenses of the medical department, including clerks of medical directors, expenses of medical boards, and disbursements for the Surgeon General's office, for the library of the Surgeon General's office, and the army medical museum .....	\$43, 215 56	\$437, 469 34
Turned into the treasury as tax on salaries paid .....		2, 056 47
Transferred to the pay department, to be used in paying contract surgeons .....		300, 000 00
Total disbursed .....		1, 756, 608 27
Balance in the treasury June 30, 1868 ...	\$1, 327, 644 48	
Balance in the hands of disbursing officers .....	146, 147 72	
		1, 473, 792 20
		3, 230, 400 47

At the date of my last annual report epidemic cholera and yellow fever prevailed among the troops in various sections of the country, a very full and exhaustive report of which was published for the information of medical officers of the army in Circular No. 1, War Department, Surgeon General's office, June 10, 1868. To this date there has been no well-authenticated case of epidemic cholera or of yellow fever reported as occurring among troops in the present year.

The monthly reports of sick and wounded for the fiscal year terminating June 30, 1868, received in the division of records of this office to this date, represent an average mean strength of 45,257 white, and 4,774 colored troops.

For the *white troops*, the total number of cases of all kinds reported under treatment was 131,581, or 2,908 per 1,000 of strength—nearly three entries on the sick report during the year for each man. Of this number of cases, 118,925 were for disease alone, and 12,656 for wounds, accidents, and injuries; being 2,628 per 1,000 of strength for disease, and 280 per 1,000 of strength for wounds, accidents, and injuries. The average number constantly on sick report was 2,852, of whom 2,510 were sick and 342 wounded, or 55 per 1,000 constantly under treatment for disease, and 8 per 1,000 for wounds and injuries. The total number of deaths from all causes reported was 1,353, of which 1,175 were from disease, and 178 for wounds, accidents, and injuries; being at the rate of 26 deaths from disease and 4 from wounds to each 1,000 of strength. Of the deaths from disease, 427 were from yellow fever, 139 from cholera, and 609, or 13 deaths per 1,000 of strength, from all other diseases. The proportion of deaths from all causes to cases treated was 1 death to 97 cases.

Nine hundred and eighty-four white soldiers, or 22 per 1,000 of strength, were discharged upon surgeon's certificate of disability.

For the *colored troops*, the whole number of cases of all kinds treated was 14,616; being at the rate of 3,061 per 1,000 of strength, or three cases of sickness for each man. Of this number, 13,550 were for disease; being 2,838 per 1,000 of strength; 1,066 were for wounds, accidents, and injuries; being 223 per 1,000. The average number constantly on sick report was 283, of whom 248 were sick and 35 wounded; being at the rate of 52 per 1,000 constantly under treatment for disease, and 7 per 1,000 for wounds, accidents, and injuries.

The total number of deaths reported was 268, of which 242 were from disease, 26 from wounds and injuries; being at the rate of 51 deaths per 1,000 of strength from disease, and 5 per 1,000 from wounds. Of the deaths from disease, 25 were from yellow fever, 89 from cholera; leaving 128, or 27 per 1,000 of strength, from all other diseases. The proportion of deaths from all causes to cases treated was 1 death to 55 cases.

Ninety colored soldiers, or 19 per 1,000 of strength, were discharged on surgeon's certificate of disability.

During the year, the records filed in the record and pension division of this office have been searched, and such official information relative to deaths, discharges, and treatment as they contain has been furnished in reply to the inquiries of the Pension Bureau, in 16,786 cases; Adjutant General United States army, in 15,582 cases; Paymaster General United States army, in 473 cases; and in 1,929 cases to other authorized inquirers, making a total of 34,770.

In the division of surgical records the histories of 74,954 cases of wounds and injuries have been transcribed, chiefly from field reports, hospital case books, and registers of 1861 and 1862 and the earlier part of 1863.

The records of the office in regard to injuries of the head, face, neck, thorax, abdomen, spine, and pelvis have been classified and studied. Illustrative cases have been selected and written out in minute detail, while numerical tables have been prepared, exhibiting the progress and results of the different classes of injuries to which these individual examples belong. To illustrate these injuries, for future publication, there have been completed during the year eight chromo-lithographs, eight lithographs, and three diagrams. There have also been prepared during the year 122 wood-cuts, to be intercalated in the text descriptive of the various classes of injuries and operations. Five hundred pages of manuscript are in readiness for the printer, and a large amount of the statistical material is in such a state of forwardness that it can be made ready for the press at a few weeks' notice. To make the publications of this office as valuable as possible, in relation to the results of the major surgical injuries and operations, and especially in regard to the excisions of the larger joints and other operations embraced under the general designation of conservative surgery, much time and labor have been expended in tracing the ultimate histories of patients who have undergone such mutilations. This has been accomplished to a very satisfactory degree, through the co-operation of the examining surgeons of the Pension Bureau, of the surgeons general and adjutants general of the several States, of retired volunteer medical officers, and of private physicians. Besides the digestion and tabulation of the surgical data pertaining to the late war, there have been received and consolidated 699 quarterly reports of post hospitals, 34 reports of the examination of men who, having been wounded, presented themselves for re-enlistment at recruiting stations, and 32 special reports of surgical operations.

The army medical museum continues to increase in value and usefulness. During the year 673 specimens have been added to the surgical section, 121 to the medical section, 202 to the section of comparative anatomy, 687 specimens and 114 photographic negatives of microscopical specimens to the microscopical section. An anatomical section of 163 specimens has been formed, and is rendered of especial interest by the large proportion of typical crania of the North American aborigines which it contains. A collection of 187 specimens of Indian weapons and utensils has also been added. Two hundred and sixty-six discarded specimens,

the histories of which could not be found at the period of publication of the catalogue of the surgical section, have been identified and restored to the collection. For purposes of exchange with other museums or with learned societies, either for specimens or publications, 4,472 photographs, illustrative of injuries and operations, have been printed. There were during the year 14,448 visitors to the museum, including many military surgeons of eminence.

On the 30th of September there were 289 garrisoned posts in the various military departments, besides an almost equal number of detachments on temporary duty throughout the south, and on expeditions, or protecting the lines of travel on the plains, requiring medical attendance. The number of surgeons and assistant surgeons being altogether inadequate to meet this demand, it has been necessary to employ contract physicians, especially at the south, where but few of the resident physicians could take the oath necessary to their payment, and the fees for attendance in individual cases would be far in excess of the contract rates. The number of physicians so employed upon the 30th of September was 282, at rates of compensation varying from \$45 to \$125 per month; but a large proportion of these will be dispensed with so soon as the troops are concentrated in winter quarters, and the condition of public affairs will admit of the discontinuance of the numerous small garrisons throughout the States recently in rebellion.

Since the date of my last annual report, three surgeons and two assistant surgeons have died, eight assistant surgeons have resigned, two assistant surgeons have been dismissed, and one assistant surgeon cashiered—total, 16.

A medical board, for the examination of candidates for appointment as assistant surgeons United States army, and of assistant surgeons for promotion, is now in session in New York city.

There are now 49 vacancies in the grade of assistant surgeon.

Most respectfully, your obedient servant,

JOS. K. BARNES,  
*Surgeon General U. S. Army.*

HON. JOHN M. SCHOFIELD,  
*Secretary of War.*

# REPORT

## OF

### THE PAYMASTER GENERAL.

PAYMASTER GENERAL'S OFFICE,  
Washington, October 20, 1868.

SIR: I have the honor to submit a report of the official transactions of the pay department of the army for the fiscal year ending June 30, 1868.

The tabular statements herewith transmitted give all the details, from which is condensed the following summary exhibit:

Balance in hands of paymasters, and unissued requisitions in the treasury at the beginning of the fiscal year, (July 1, 1867).....	\$7,840,959 85
Received from the treasury during the fiscal year.....	58,411,163 33
Received by paymasters from other sources exclusive of sums transferred among themselves.....	435,512 39
Total to be accounted for.....	66,687,635 57

Accounted for as follows:

Disbursements to the regular army.....	\$17,803,968 53
Disbursements to the Military Academy.....	169,199 04
Disbursements to volunteers.....	42,696,444 08
Total disbursements.....	60,669,611 65
Amount refunded to treasury.....	35,574 06
Balance in hands of paymasters June 30, 1868.....	5,982,449 86
Total.....	66,687,635 57

This large sum of \$60,669,611 65, disbursed during the fiscal year comprises the regular payments to troops in service; the final payments to volunteer troops disbanded during the year; the payment of bounties and arrears of pay to living white claimants, made through the "division of referred claims" of this office direct; and the dues to heirs of deceased officers and soldiers, and to colored claimants, made upon treasury certificates, issued on their adjustment by the Second Auditor of the Treasury, as follows:

To troops in service.....	\$18,270,677 82
To troops mustered out.....	2,198,994 13
To treasury certificates.....	15,868,781 92
To referred claims.....	24,331,157 78
Total.....	60,669,611 65

At the date of my last annual report there were in this department 60 paymasters of the regular army, and 21 additional paymasters, these latter necessarily retained to meet the large payments of bounties, &c., to discharged volunteers. There is now one vacancy in the regular establishment, made by the negative action of the Senate in the case of a nominee. There have been honorably mustered out three of the additional paymasters, their services being no longer required, so that the total of both classes, which at last report was 81, is now reduced to 77, viz., regular paymasters, 59; additional paymasters, 18.

Of this latter class eight are still on duty in the "division of referred claims," nine are serving in the geographical pay districts throughout the country to meet the large payments on treasury certificates, and one is on duty as disbursing agent of the Freedmen's Bureau.

It is expected by the first of January next the bounty and other volunteer claims pending will be so much reduced as to justify the discharge of at least one-half the remaining force of additional paymasters, and still others thereafter, as the issue of treasury certificates shall diminish, till, by the close of the year, all of that class of temporary officers may be discharged.

The permanent force of 60 paymasters, with the present strength of the army scattered, as it is, in small garrisons and guards over the entire extent of our vast possessions, very many of them at points difficult, tedious, and dangerous of approach, could not with safety be reduced. Indeed, a material reduction of the army, without a corresponding reduction of the number of military stations in the Indian country, would not justify any considerable reduction of the number of paymasters. It is a remarkable fact, derived from official sources, and not generally understood or imagined by the best informed public men, that on the 30th of September last there were 289 military posts garrisoned by the army, besides almost a like number of detached guards temporarily serving at other points in the southern States, and for the protection of the lines of travel on the western plains.

The periodical payments to the army have been made with uninterrupted regularity, except in those instances where insuperable obstacles have made it impracticable. The very remote and almost inaccessible localities of some stations, penetrating far into the Indian territories on both slopes of the Rocky mountains, from the British possessions on the north (including the new purchase beyond the British lines) down to and embracing Arizona on the extreme southern border, make it next to impossible to pay these with entire regularity, for the want of travelling facilities other than by slow and tedious stages, with military escorts, and wagons carrying the needed supplies for the journey.

These few irregularities do not cause material inconvenience to the troops, or, it is believed, any serious inconvenience to the service in any respect, whatever may be asserted to the contrary. They are unavoidable and without advisable remedy. The only possible means of averting them are two, viz: First, to increase the number of paymasters so as to double them on the difficult routes, that whilst one shall be returning from a payment another shall be on the way to make the succeeding payment. These tours of travel, it must be borne in mind, in some instances consume from 40 to 70 days to make the round trip, rendering it obvious that one paymaster cannot repeat the trip every two months. Such an increase of paymasters I cannot recommend, feeling fully satisfied, from a thorough practical knowledge of the subject, that the end would not justify the means; the advantages, doubtful at best, would not be at all commensurate with the increased expenses.

The second way of averting the irregularities in question would be by deposits of funds at the remote stations sufficient to meet the payments four and six months in advance of their maturity, with an officer at each post authorized to pay the garrison after each muster. To this latter plan there are the gravest objections:

1. The law prohibits the withdrawal of money from the authorized depositories, except from time to time as it may become due to the public creditors, and only in such sums as are necessary to meet those dues, and no more.—(Vide act of June 14, 1866.)

2. If that law were not in force, it is not presumed that the condition of the public finances would authorize or enable the treasury to respond to requisitions anticipating the pay of the army for months before its maturity.

3. If the law interposed no barrier, and the treasury could supply the funds half-yearly in advance, it is submitted that to hazard large deposits of money in the charge of an officer at the small and much exposed frontier stations would be injudicious, because greatly exposing the safety of the public treasure.

By the present system the paymasters, as a general rule, are stationed near the public depositories, and are sent out thence to pay remote stations, each, under the requirements of the law, carrying with him just sufficient funds to cover the payments to which he has been assigned. Their payments finished, they return to their stations, ready to repeat the duty with a new supply.

I have adverted to this subject not alone to explain why very remote garrisons cannot be regularly and promptly paid according to the requirements of the regulations, but also to answer suggestions from time to time urged in and out of Congress looking to the *monthly* payment of the army, and, as a necessary consequence, to the restoration of the long-exploded system of regimental, battalion, post, or company paymasters.

What I have already said I trust will serve to demonstrate the impracticability of such a plan in our service, which, unlike any other service in Christendom, scarce ever, in time of peace, finds a full regiment, and very rarely a full battalion of any regiment, serving together in a body.

It is, indeed, quite demonstrable, as I shall proceed to show, that no system can be devised which, equal to the present one, can be made to combine the advantages of prompt payment, the safety of the public money, and an accurate and prompt accountability, with the least possible liability to embezzlement or corrupt defalcation.

A review, in connection with this subject, of the statistics of the war of 1812, under the system of regimental and battalion paymasters, with those of the Mexican war, of about the same duration and near the same cost as to army pay, under the system now in practice, will set at rest all doubts as to the merits of the two systems. Then, too, witness the wonderful success of this department, tried by the straining tests of the great war of the rebellion. All the varied experience of the past, in peace and in war, most conclusively establishes the greatly superior efficiency, economy, and safety of the existing plan and practice of the department in our peculiar service.

The author and father of the present organization of the department and the arrangement of its duties, giving to paymasters the field grade of major, and making it an independent staff corps, was that highly distinguished artillery officer of the war of 1812, afterwards for more than 30 years, to the time of his decease, in 1854, the Paymaster General of the army, Major General Nathan Towson.

Of that gallant, conscientious, and excellent officer it is well known to those who had his confidence, that not all the many honors derived from his brilliant career in the fighting service of the war were, in his later years, half so fondly cherished by himself as the triumphant and very remarkable working results of the pay establishment which he had devised and organized. His scheme was not adopted without difficulty. It met with the stoutest opposition in the army and in Congress, as uselessly grand and extravagant and radically invasive, abrogating at one blow a time-honored usage that had obtained in our armies from our earliest existence as a nation. Fortunately for the service, General Towson's logic, with his great personal influence, prevailed. The theory upon which he constructed his plan was, that to make the pay department a distinct, independent machine, detached from all other obligations and duties, and controlled by one head, would give it simplicity and efficiency, while to elevate its officers to the grade and consideration of field officers would secure to it men of mature years and established character for integrity and business fitness, whose appreciation of the value of their commissions would be proof against the temptations which were so apt to seduce young officers of the junior grades, leading them, in so many instances, to a criminal misapplication of the funds intrusted to their care.

That General Towson's arguments were sound philosophy, and that he had reason to be proud of the signal success of his scheme, it is only necessary to cite a few brief extracts from his official reports in after years.

In his annual report of 1835, addressed to Secretary Lewis Cass, he says:

It is now fifteen years since the United States has sustained any loss by the transactions of this department, in which time nineteen and one-half millions of dollars have been disbursed by it in small sums: the accountability may therefore be considered as perfect as it can be made, and I have nothing to ask for or recommend on that subject.

Again: In an official letter dated April 29, 1839, addressed to Secretary Poinsett, in answer to a call for the information, after a labored investigation, General Towson submits to the Secretary, with his answer, a tabular statement showing, among other interesting matters, the following striking facts in the history of army payments:

*First.* From 1808 to 1811, before the war, the average annual loss by the defalcation of regimental and battalion paymasters amounted to 1.58 per centum on the amount disbursed, and the average annual expenses for paying the army to 3.10 per centum.

*Second.* From the beginning of the war to 1816, under the same system, these averages were: Defalcations, 2.95 per cent.; and the expenses, 4.36.

*Third.* From the date of the reorganization, in 1821, on the new plan, (the present one,) to 1825, the average defalcations were 22-100—little more, it will be perceived, than the one-fifth of one per cent, which was finally paid into the treasury; expenses for the same period, 2.13.

*Fourth.* From 1825, after the new system had been well established, *not one dollar of defalcation*, and the total average expenses reduced to 1½ per cent.

Then again: From General Towson's annual report of 1849, addressed to Secretary Crawford, in which are reviewed the entire transactions of the pay department through the Mexican war, I make the following extract:

Two thousand one hundred dollars (\$2,100) deficit in money, received by Paymaster Sanger at Saint Louis, Missouri, in boxes, which were not opened until he arrived at Santa Fe, constitutes the only charge made by officers of this department for loss by misconduct, accident, robbery, or capture, pending the entire war with Mexico, during which they expended near \$24,000,000, the greater part in the enemy's country. To this I have the satisfaction to add that not one dollar will be lost by defalcation.

And finally, in connection with this important subject, I beg to refer to statements in my own annual reports of 1865 and 1866, that from the

beginning of the war in 1861 to the dates of those reports, embracing the immense war disbursements of the department, the total of losses and expenses of every kind, including defalcations, captures, accidents, the salaries and expenses of paymasters and their clerks, fell short of three-fourths of one per centum on the amount disbursed.

Surely these facts afford me the amplest justification now to adopt, as my own, the language of General Towson to General Cass in 1835: "The accountability may therefore be considered as perfect as it can be made, and I have nothing to ask for or recommend on the subject."

I am able again to report the satisfactory assurance of last year, that there has occurred no serious failure or omission in the performance of the laborious duties devolving on the officers of this department. They are entitled generally to high commendation for their energy, zeal, and probity.

The clerical force of this bureau, exclusive of the paymasters' clerks serving with the officers attached to the "division of referred claims," numbered at the date of my last annual report 124 clerks, since which, at various dates during the last fiscal year, there were 59 discharged, because, by reason of the reduced demand, their services were no longer necessary, leaving the lawful complement of 65, as follows:

1 chief clerk, at \$2,000.....	\$2,000
4 clerks of class 4, at \$1,800.....	7,200
4 clerks of class 3, at \$1,600.....	6,400
26 clerks of class 2, at \$1,400.....	36,400
30 clerks of class 1, at \$1,200.....	36,000
<hr/>	
65 clerks in all.	Total cost..... 88,000

After a most careful consideration of the subject, I feel constrained by a sense of duty to the public, and of justice to the more intelligent, faithful, and industrious of the clerks, respectfully to urge a reorganization of the clerical force of this bureau in a manner to insure a greater efficiency and responsibility without any augmentation of the cost. The same process will besides secure generally to the clerks an enhanced rate of compensation in a greater degree commensurate with the present extravagant cost of the necessities of life, and do away with the continued yearly petitions for a temporary increase of pay. The proposition is to reduce the force by cutting off *eight* of the least valuable clerks, and imposing their duties upon the remaining number, who, by their greater qualifications and the stimulus of additional compensation and gradual promotion, may more accurately and satisfactorily absorb all the duties of the bureau. The following is the plan of reorganization submitted, viz:

1 chief clerk, at \$2,200.....	\$2,200
5 division clerks, at \$2,000.....	10,000
4 clerks of class 4, at \$1,800.....	7,200
20 clerks of class 3, at \$1,600.....	32,000
21 clerks of class 2, at \$1,400.....	29,400
6 clerks of class 1, at \$1,200.....	7,200
<hr/>	
57 clerks in all.	Total..... 88,000

I repeat my deliberate conviction, that this proposed reorganization will be attended with manifold benefits to the government business, as well as to the government employes pertaining to this bureau. I therefore most respectfully request that it may be submitted to Congress with your approval and recommendation.



## RECONSTRUCTION DISBURSEMENTS.

As it is confidently apprehended that this branch of the duties assigned to me will be soon ended, I present below, for your information and the information of Congress and the public, a tabular statement showing from the beginning, April 10, 1867, (the date I assumed the charge,) up to the 3d of the present month, the several appropriations, the apportionment of each to the respective districts, the amount received from the treasury and from fines and refundments by each district, and the respective disbursements and available balances in each.

*Statement showing the appropriations and disbursements for reconstruction*

	1st district.	2d district.	3d district.	4th district.	5th district.	Total.
Appropriation of Mar. 30, 1867	\$69,444 45	\$69,444 44	\$97,222 22	\$97,222 22	\$166,666 67	\$500,000 00
Appropriation of July 19, 1867	130,000 00	225,099 21	78,114 79	367,612 55	199,173 45	1,000,000 00
Appropriation of Feb. 13, 1868	50,000 00	110,000 00	97,000 00	150,000 00	250,000 00	657,000 00
Appropriation of June 3, 1868			87,701 55			87,701 55
Appropriation of July 25, 1868	99,000 00	142,898 25	15,000 00	128,200 00	125,000 00	510,098 25
Total appropriation.....	348,444 45	547,441 90	375,038 56	743,034 77	740,840 12	2,754,799 80
Balance in treasury.....	74,000 00	142,898 25	15,000 00	51,533 78	93,948 73	377,380 76
Received from treasury.....	274,444 45	404,543 65	360,038 56	691,500 99	646,891 39	2,377,419 04
Received from fines and refundments.....	599 99	8,840 36	1,813 80	168 82	34 60	11,457 57
Total receipts.....	275,044 44	413 384 01	361,852 36	691,669 81	646,925 99	2,388,876 61
Disbursements for reconstruction expenses.....	260,980 83	361,862 17	320,879 04	683,060 05	634,632 93	2,261,415 02
Disbursements on account of internal revenue tax collected.....	200 64	611 85	268 94	523 26	1,252 44	2,857 13
Total disbursements.....	261,181 47	362,474 02	321,147 98	683,583 31	635,885 37	2,264,272 15
Balance in treasury.....	74,000 00	142,898 25	15,000 00	51,533 78	93,948 73	377,380 76
Due internal revenue department for tax collected.....	4,265 37	4,691 50	5,009 48	6,533 78	13,948 63	34,358 76
Balance subject to requisition..	69,734 63	138,296 75	9,990 52	45,000 00	80,000 10	343,022 00
Balance in hands of paymasters	13,862 97	50,909 99	40,704 38	8,066 50	11,040 62	124,604 46
Total amount available October 3, 1868.....	83,597 60	189,206 74	50,694 90	53,086 50	91,040 72	467,626 46

It will be seen from the foregoing statement that, by the latest returns up to a very recent date, (Oct. 3,) there still remained unexpended balances in the hands of each of the five district paymasters, besides considerable remainders of the appropriations subject to requisition, but not yet drawn from the treasury, though available, if necessary, amounting in all, to \$467,626 46. This sum, according to present advices, it is believed will cover all the future expenses pertaining to this department likely to be incurred in carrying out the reconstruction laws. But inasmuch as the appropriation acts of the present Congress have in terms fixed the distribution, specifying the amount to go to each district, and as some of the districts will manifestly not require the entire of their quota, whilst others will demand sums greater than their respective apportionments, I beg to suggest that Congress may be asked to vest in the Secretary of War the authority to make needed transfers from those districts having an excess of the fund to those which may be short of the required amount.

In the districts which have been discontinued, the paymasters are still occupied in settling unpaid arrears and closing their accounts.

## ADDITIONAL BOUNTIES.

The subject of these bounty settlements is one of such wide-spread interest that I deem it proper for the general information to lay before you their highly satisfactory condition, as contained in the official report of the chief of the division of referred claims, who is specially charged with the adjustment and payment of all bounty claims due and properly referable to this department for settlement. The following statements of that report, besides the work of the division for the fiscal year ending June 30 last, embrace a summary of its labors from July, 1866, to the date of the report, (the 17th instant,) viz:

At the beginning of the last fiscal year there were of these	
bounty claims on hand unsettled.....	175, 312
Filed during the fiscal year.....	195, 191
	<hr/>
Total to be accounted for .....	370, 503
Number examined and paid during the fiscal year	241, 992
Number examined and disallowed.....	19, 407
	<hr/>
	261, 399
	<hr/>
Still unsettled at the end of the fiscal year.....	109, 104
	<hr/>

Amount disbursed in payment of these claims during the	
fiscal year.....	\$23, 649, 157 78

As stated in my last annual report, in consequence of various unavoidable impediments therein explained, through the law granting the extra bounties passed July 28, 1866, the division was unable to enter upon their examination for payment till the succeeding January, 1867. It is now, therefore, less than one year and ten months since the work of payment began.

The actual number of claims filed from the beginning to the	
17th instant, (three days ago.) is.....	435, 199
Whole number paid.....	387, 091
Whole number rejected.....	32, 403
	<hr/>
	119, 494
	<hr/>
Remaining unsettled, only.....	15, 705

These remaining cases have been examined, and of them 8,047 are completed and ready for instant payment on the receipt, from the respective claimants or their attorneys, of the necessary signed vouchers. There are still awaiting reports from the Second Auditor, giving required facts from the rolls, 2,984 cases; and awaiting reports from the Adjutant General, giving needed information from his records, 4,674.

The total amount disbursed for the additional bounties to date is \$37,764,774 78.

It may be explained here that the additional bounties settled and paid direct through the division of referred claims constitute but a part of those bounty payments, comprising only those due to living white claimants whose certificates of discharge are produced as evidence of their title to claim. Those of white claimants who allege the loss of their discharges, and all due to colored claimants, and to heirs of deceased soldiers, are investigated and determined by the accounting officers of

the treasury; upon whose certificate of the sum due, paymasters, stationed at convenient points throughout the country, make the payments. The aggregate sum disbursed for additional bounties since July, 1866, somewhat exceeds \$54,000,000. The sum cannot be accurately stated, for want of full returns to date from paymasters of their disbursements or treasury certificates.

The report of the division chief referred to demonstrates the most favorable results as to the cost to the government of the disbursements made under his supervision. He computes, in labored detail, all the expenses of his division, including the pay and allowances of its officers, clerks, messengers, and watchmen, the rent of offices, and all other expenses, and shows a total cost of less than five-sixths of one per centum, or an average cost per claim of about 70 cents.

A more flattering exhibit of the successful, economical, and expeditious execution of a difficult public trust of such magnitude is not easily imagined.

It affords me great satisfaction to be able to repeat here the concluding paragraph of my last annual report referring to this special subject, "that there has not been ascertained a single instance of delinquency or wrong on the part of any officer of the division, nothing in the whole extent of their perplexing labors affecting injuriously the rights and interests of claimants or of the government. The services of all, chief and subordinates, have been rendered with singular fidelity and ability, entitling them to the highest commendation."

Very many fraudulent bounty claims have reached this office through the mails, which have augmented the labors of the division by taxing to the utmost the scrutiny and vigilance of its officers and its clerks, to prevent impositions. Not a few of these cases, presented in all due form, with perjured affidavit and genuine original discharge, are from parties who have already been paid the additional bounty, and who have ingeniously extracted, or otherwise obliterated, from their discharges the paymasters' endorsements thereon certifying previous payment. Various other criminal devices have been resorted to in the expectation of getting a second payment of the bounty; but it is believed that few, if any, of the cases have been successful. None, certainly, through any lapse of this department.

These fraudulent applications have not been acknowledged to the applicants or their attorneys, but are held here for such action, looking to the criminal prosecution of the perpetrators, as may be deemed expedient.

As the small number of valid bounty claims remaining unsettled can be disposed of in a short time, and as but a limited few are likely to be hereafter presented, the services of the bounty division, in its present organization, may, in a few weeks, be discontinued. Concurring in the opinion of the intelligent and highly efficient officer who, under my orders, has so long, so faithfully and ably conducted its difficult labors, I propose to abolish the division at an early day, reserving in this office, to close up the unfinished business, only the chief and one of his subordinate paymasters skilled in the duties.

I shall consequently, at the proper time, submit for your consideration a recommendation to discharge, by honorable muster-out, *seven* of the eight remaining additional paymasters and their clerks who are still engaged in the examination and payment of bounty claims, to take effect the first of January next, and the surrender at the same time of the building on E street, occupied by them as offices. By this means the expenses of the department may be greatly reduced.

The voluminous accumulation of books of registry, of files, and other records pertaining to the additional bounties, including the retained duplicates or receipted vouchers of paid claimants, will be carefully preserved at this office in a room set apart for the purpose, that they may be readily referred to for future information, and be available to explain any question that may arise touching the subject of those bounties.

Finally, I regard it of serious importance to the public interest that Congress be now asked to fix a limit of time beyond which no additional bounty claim shall be received and entertained. This is the only measure which can be effectual to put a stop to the annoyance and waste of time and labor indefinitely menacing the departments through the persistent efforts of dishonest persons to obtain the bounties upon trumped-up papers devised for the purposes of fraud. I would respectfully suggest the 4th of March next as the date to be fixed, with a further provision that then all unsettled referred claims still remaining in this office shall be transferred to the Second Auditor for the final action of the accounting officers, to whom their settlement more properly belongs.

Respectfully submitted.

B. W. BRICE,  
*Paymaster General.*

Statement showing the amount in the hands of each of the disbursing officers of the pay department, and unaccounted for on the 1st of July, 1867; the amount remitted to each from the treasury, or turned over by other agents, during the fiscal year ending 30th June, 1868; the amount accounted for by accounts and vouchers of expenditures, or by transfer or replacement in the treasury; and the balance remaining unaccounted for, to be applied to payments in the first quarter of the next fiscal year.

Paymasters.	Balances in hands of paymasters and unaccounted for July 1, 1867.	Remitted from treasury, and turned over by other agents, in the year ending June 30, 1868.	Total amount received and to be accounted for.	Amount expended in paying regular troops.	Amount expended in paying volunteers.	Amount expended in paying Military Academy.	Amounts turned over to other agents or replaced in the treasury.	Total amount accounted for.	Balances remaining unexpended and to be applied to payments in the next fiscal year.	Amount of requisitions included in balances not received by paymasters on June 30, 1868.	Actual balances in hands of paymasters.
<b>REGULARS.</b>											
<i>Paymaster General.</i>											
B. W. Brice.....		\$300, 000 00	\$300, 000 00				\$300, 000 00	\$300, 000 00			
<i>Asst. paymasters general.</i>											
N. W. Brown.....	\$423, 853 33	4, 722, 249 50	5, 146, 102 83	\$4, 129 58	\$5, 620 45		4, 752, 236 28	4, 761, 986 31	\$384, 116 52		\$384, 116 52
Daniel McClure.....	172, 413 03	3, 150, 000 00	3, 322, 413 03	289 05			3, 322, 123 98	3, 322, 413 03			
<i>Dep'y paymasters general</i>											
Hiram Leonard.....	141, 947 61	3, 034, 625 16	3, 176, 572 77		142 85		2, 795, 638 62	2, 795, 781 47	380, 791 30		380, 791 30
Cary H. Fry.....		975, 704 54	975, 704 54				914, 806 33	914, 806 33	60, 898 21		60, 898 21
<i>Paymasters.</i>											
T. J. Leslie.....	1, 011, 255 06	8, 391, 766 03	9, 403, 021 09	8, 105 31			9, 260, 000 00	9, 268, 105 31	134, 915 78		134, 915 78
Benjamin Alvord.....	398, 933 61	2, 226, 427 95	2, 625, 361 56	210, 917 94	5, 273 42		2, 221, 600 00	2, 437, 791 36	187, 570 20		187, 570 20
F. E. Hunt.....	390, 049 85	1, 652, 215 49	2, 042, 265 34	10, 050 68	2, 443 38		1, 510, 000 00	1, 522, 494 06	519, 771 28		519, 771 28
Henry Prince.....	48, 490 99	1, 800, 295 87	1, 848, 786 86	395, 784 93	692, 705 49		728, 000 00	1, 816, 490 42	32, 296 44		32, 296 44
Samuel Woods.....	46, 230 52	1, 070, 850 89	1, 117, 081 41	500, 335 93	30, 429 53		546, 797 07	1, 077, 562 53	39, 518 82		39, 518 88
A. H. Seward.....		728, 000 00	728, 000 00	17, 078 41	703, 801 90			720, 880 31	7, 119 69		7, 119 69
R. A. Kinzie.....	217, 268 86	1, 003, 270 07	1, 220, 538 93	33, 353 09	25, 641 11		1, 161, 544 73	1, 220, 538 93			
G. L. Febiger.....	462, 317 41	5, 947, 310 20	6, 409, 627 61				5, 930, 795 84	5, 930, 795 84	478, 831 77		478, 831 77
David Taggart.....		1, 690, 802 69	1, 690, 802 69	230, 989 53	36, 318 35		1, 225, 000 00	1, 492, 307 88	198, 494 81		198, 494 81
A. D. Steuart.....	6, 754 26	152 12	6, 906 38	832 33			5, 921 93	6, 754 26	152 12		152 12
Henry Pratt.....	45, 891 16	857, 501 74	903, 392 90	741, 020 07		\$137, 569 94	17, 491 64	886, 081 65	7, 311 25		7, 311 25
Simoon Francis.....	80, 678 31	477, 395 43	558, 073 74	207, 179 24	7, 296 68		312, 847 94	527, 323 86	30, 749 88		30, 749 88
Simoon Smith.....	59, 356 22	541, 444 84	600, 801 06	344, 749 81	133, 486 55		39, 387 77	517, 624 13	83, 176 93		83, 176 93
Edward Wright.....	75, 023 65	524, 599 84	599, 623 49	501, 924 67	51, 609 67		3, 515 74	567, 050 08	42, 573 41		42, 573 41

John P. Brna	185,968 44	1,892,176 16	2,018,144 60	330,088 44	1,555,437 59	91,645 21	1,977,171 24	40,973 36	40,973 36
Rodney Smith	36,700 90	671,949 56	708,650 46	579,416 04	47,857 55	4,220 77	631,494 36	77,156 10	77,156 10
Joseph H. Eaton	81,124 15	2,883,515 74	2,964,639 89			2,964,639 89	2,964,639 89		
J. B. M. Potter	61,027 77	897,315 71	958,336 48	752,512 60	110,352 78	91,000 00	953,865 38	4,471 10	4,471 10
George P. Ihrie	85,585 60	70,157 25	155,742 85	135,018 25	2,866 54		137,884 79	17,858 06	17,858 06
William A. Rucker	23,261 87	301,217 89	324,479 76	204,499 36	53,429 09		324,479 76		
Robert C. Walker	10,050 79	505,302 62	515,353 41	300,948 35	108,178 48		30,000 00		
William H. Johnston		191,791 17	191,791 17	162,390 81	4,221 10		15,529 30		
George Pomeroy	39,296 76	438,685 31	477,982 07	257,926 33	5,809 67		30,000 00		
J. Steinberger	42,925 91	850,863 11	893,789 02	797,832 73	19,505 95		35,000 00		
William R. Gibson	1,193,748 41	24,140,786 27	25,334,534 68	4,618 40	7,741 45		8,323 75		
Thomas H. Halsey	8,358 23	1,306,167 34	1,314,525 57	174,305 92	838,825 05	25,268,661 31	35,000 00		
William B. Rochester	230,000 00	749,645 98	94,964 98	212,034 05	44,178 49		1,308,128 97		
Henry B. Reese		342,520 85	342,520 85	290,732 36	9,907 03		2,000 00		
J. L. Hodge	604,194 21	3,830,000 00	4,434,194 24	3,379,329 76	3,379,329 76		720,411 87		
Charles J. Sprague		86,808 83	86,808 83	51,481 78	2,335 42		53,817 20		
Nicholas Vedder	45,595 04	1,415,694 03	1,461,289 07	230,078 34	58,468 69		32,991 63		
Edward D. Judd		358,343 76	358,343 76	316,263 37	15,443 78	669,000 00	957,567 03		
V. C. Hanna		729,679 40	729,679 40	298,654 81	3,032 87		331,704 15		
William Smith	22,438 20	1,004,732 25	1,027,170 45	279,292 50	600,259 65		423,862 95		
John W. Smith		381,748 72	381,748 72	292,354 62	47,788 31		1,024,311 62		
C. M. Terrell	12,587 17	673,910 16	686,497 33	384,900 82	116,418 33		360,142 93		
Thaddeus H. Stanton	52,722 73	522,698 67	575,421 40	510,610 39	62,344 45		629,819 15		
J. E. Burbank	83,138 92	422,207 93	505,346 85	256,290 18	9,382 79		579,954 84		
Brantz Mayer	68,670 67	563,130 24	636,800 91	350,081 47	280,334 26	102,131 05	367,804 02		
J. W. Nicholls	25,878 36	505,477 04	531,355 40	306,193 55	24,605 68		630,415 73		
Robert D. Clarke	15,622 88	731,277 08	746,899 96	514,150 66	6,996 06		523,799 23		
H. O. Brigham†	50,344 91	460,925 70	511,270 61	142,341 78	341,602 13	193,000 00	587,146 72		
J. H. Nelson		1,210,682 22	1,210,682 22	320,191 83	779,214 13	66,000 00	510,828 04		
J. S. Walker	26,524 17	542,213 38	569,037 55	407,782 23	16,622 11	26,884 13	69,827 41		
C. W. Wingard		286,715 86	286,715 86	241,538 67	5,294 80	75,640 62	509,044 96		
James P. Canby		338,879 05	338,879 05	269,335 38	12,139 94	25,072 03	271,905 47		
P. P. G. Hall	10,734 55	290,158 02	300,892 57	276,215 20	14,255 97	13,939 46	295,414 78		
George W. Candee	2,938 01	405,602 01	408,540 02	228,604 43	8,609 39	10,273 00	300,744 17		
E. H. Brooke		160,635 74	160,635 74	108,627 22	99 17	141,174 64	378,388 46		
J. O. Dewey	71,037 15	369,045 32	440,082 47	312,048 74	44,370 31	30,000 00	138,726 39		
George B. Simpson†	18,914 68	60,005 51	78,920 19	52,071 63	1,653 53		386,419 05		
Samuel Dana	69,732 25	145,106 45	214,838 70	173,734 13	5,073 47	24,918 00	78,643 16		
Samuel A. Pearce		339,940 79	339,940 79	295,821 56	14,758 94	24,397 92	214,838 70		
J. R. Mears	50,000 00	193,251 12	243,251 12	208,465 72	19,657 24	24,000 00	334,978 42		
T. S. Allison		333,052 08	333,052 08	276,166 58	17,055 66	39,829 84	238,122 96		
F. M. Etting	64,612 50	708,731 54	773,344 04	104,443 39	629,624 62	39,276 03	333,052 08		
A. B. Carey		871,000 00	871,000 00	4,714 20	187,192 86	579,092 94	773,344 04		
W. P. Gould		185,000 00	185,000 00	75,617 88	591 67		771,000 00		
J. S. Stewart		185,027 78	185,027 78	158,417 19	2,662 08		76,209 55		
						1,958 84	163,038 11		
Total regulars	6,784,492 13	92,653,388 00	99,437,880 13	14,885,551 43	11,210,397 22	169,199 04	67,684,573 00	93,949,630 69	5,488,249 44
									5,488,249 44

\* Died October 17, 1867.

† Died January 22, 1868.

‡ Died October 14, 1867.

*Statement showing the amount in hands of disbursing officers of the pay department, &c.—Continued.*

Paymasters.	Balances in hands of paymasters and unaccounted for July 1, 1867.	Remitted from treasury, and turned over by other agents, in the year ending June 30, 1868.	Total amount received and to be accounted for.	Amount expended in paying regular troops.	Amount expended in paying volunteers.	Amount expended in paying Military Academy.	Amounts turned over to other agents or replaced in the treasury.	Total amount accounted for.	Balances remaining unexpended and to be applied to payments in the next fiscal year.	Amount of requisitions included in balances not received by paymasters on June 30, 1868.	Actual balances in hands of paymasters.
<b>VOLUNTEERS.</b>											
D. H. McPhail		\$125,728 52	\$125,728 52	\$70,349 65	\$5,657 97		\$49,720 90	\$125,728 52			
W. P. Gould	\$11,938 89	20,008 20	31,947 09	21,689 59	1,143 75		9,113 75	31,947 09			
David Taylor	546 86	3,258,145 16	3,258,692 02		3,029,176 52		228,304 45	3,257,480 97	\$1,211 05		\$1,211 05
Dwight Bannister	63,372 15	2,406,298 88	2,469,671 03	233 070 92	1,827,769 75		294,550 00	2,355,390 67	114,280 36		114,280 36
H. B. Reese	59,334 83		59,334 83	41,085 00	1,250 30		16,999 53	59,334 83			
W. H. Scott	23,046 59	1,298,568 07	1,321,614 66	51,113 88	1,223,585 05		43,699 19	1,318,398 12	3,216 54		3,216 54
C. J. Sprague*	486 88	70,011 25	70,498 13	53,431 82	747 98		16,318 33	70,498 13			
Frank Bridgman	13,917 89	1,546,458 06	1,559,375 95	44,103 54	1,481,555 75		18,500 00	1,544,159 29	15,216 66		15,216 66
R. S. Webb†	24,113 99	5 80	24,119 79	20,299 37	1,615 08		2,205 34	24,119 79			
J. W. Smith	22,685 82		22,685 82	12,370 94	1,140 24		9,174 64	22,685 82			
J. Howe Watts	57,697 02	350,855 19	408,552 21	263,870 66	34,296 25		35,306 58	333,473 49	75,078 72		75,078 92
George E. Glenn	63,738 69	20 00	62,758 69	23,646 56	2,115 13		11,540 20	37,301 89	25,456 80		25,456 80
J. A. Brodhead	21,950 32	2,805,881 97	2,827,832 29	62,747 80	2,697,959 00		2,591 00	2,763,297 80	64,534 49		64,534 49
A. D. Robinson		2,632,700 00	2,632,700 00		2,541,636 47		89,338 43	2,631,024 90	1,675 10		1,675 10
E. L. Moore		2,987,100 00	2,987,100 00		2,961,138 47		25,872 39	2,987,010 86	89 14		89 14
Calvin Holmes	9,406 70	2,840,818 54	2,850,225 24		2,737,260 65		86,545 20	2,823,805 85	26,419 30		26,419 39
Edwin Beecher	4,228 46	14,029 46	18,257 92	8,777 33	7,687 07			16,464 40	1,793 52		1,793 52
George W. Dyer	2,194 82	2,344,100 00	2,346,294 82		2,335,910 20		3,001 73	2,238,911 93	7,382 89		7,382 89
H. P. Wolcott	5,672 12	628,699 61	634,371 73	5,038 48	615,432 36		13,561 28	624,032 12	339 61		339 61
Jesse Bowen	90,732 13	402,562 40	493,294 53	472,745 36	15,235 08			487,980 44	5,314 09		5,314 09
W. Vrooman	12,607 79	2,764,281 07	2,776,888 86		2,767,829 77			2,767,829 77	9,059 09		9,059 09
George Truesdell	1,686 76	2,656,549 21	2,658,235 97		2,609,535 65		47,752 33	2,657,287 98	947 99		947 99
O. T. Turney	30,823 88	462,777 76	493,601 64	367,643 98	53,402 84		54,222 25	475,269 07	18,332 57		18,332 57
A. P. Shreve†	42,366 70	565 00	42,931 70	25,882 63	1,476 43		15,572 64	42,931 70			
J. W. Drew	24,571 43	247,445 79	272,017 22	242,915 96	7,645 70		5,000 00	255,561 66	16,455 56		16,455 56
Henry Almstedt†	165,278 37	51,000 28	216,278 65	186,062 75	1,940 11		28,275 79	216,378 65			
T. H. Gardner	12,487 81	2,324,393 98	2,336,881 79	357,213 46	1,957,877 16		21,791 17	2,336,881 79			
A. G. Salisbury	278,314 65	102 67	278,417 32	58,393 93	16,574 38		203,449 01	278,417 32			
N. A. Tucker	7,987 06	2,542,859 50	2,550,846 56		2,513,714 37		37,132 19	2,550,846 56			
David Gribben	7,279 11	464,858 61	472,137 72	295,963 49	33,777 38		35,000 00	364,740 87	107,396 85		107,396 85
Total volunteers	1,056,467 72	35,246,824 98	36,303,292 70	2,918,417 10	31,486,136 86		1,404,538 32	35,809,092 28	491,200 42		494,200 42

# RECAPITULATION.

Regulars.....	\$6,724,492 13	\$92,653,388 00	\$99,437,880 13	\$14,885,551 43	\$11,910,307 22	\$169,199 04	\$67,684,573 00	\$93,949,630 69	\$5,488,249 44	.....	\$5,488,249 44
Volunteers.....	1,056,467 72	35,246,824 98	36,303,292 70	2,918,417 10	31,486,136 86	.....	1,404,538 32	35,809,092 28	494,200 42	.....	494,200 42
Total.....	7,840,959 85	127,900,212 98	135,741,172 83	17,803,968 53	42,696,444 08	169,199 04	69,089,111 32	129,758,722 97	5,982,449 86	.....	5,982,449 86

\* Appointed paymaster U. S. A. † Mustered out of service July 1, 1867. ‡ Mustered out September 30, 1867. § Mustered out January 1, 1868. || Mustered out October 22, 1867.

## *Receipts and disbursements under the reconstruction acts for the fiscal year ending June 30, 1868.*

District.	Paymaster.	Balance June 30, 1867.	Amount received from treasurer.	Amount received from fines and re-fundments.	Total.	Amount expended.	Balance June 30, 1868.	Total.
1st.....	T. H. Stanton.....	\$59,254 45	\$180,000 00	\$239 69	\$239,497 14	\$239,468 66	\$28 48	\$239,497 14
2d.....	J. W. Nicholls.....	12,175 44	389,668 65	8,688 07	410,532 16	318,619 33	91,912 83	410,532 16
3d.....	E. D. Judd.....	85,102 84	262,816 34	1,793 80	349,712 98	276,179 62	73,533 36	349,712 98
4th.....	P. P. G. Hall.....	78,340 79	517,612 55	168 82	596,122 16	595,740 78	381 38	596,122 16
5th.....	Nicholas Vedder.....	114,075 28	449,173 45	34 50	563,283 23	524,251 49	39,031 74	563,283 23
	Total.....	348,951 80	1,799,270 99	10,924 88	2,159,147 67	1,954,259 88	204,887 79	2,159,147 67



# REPORT

## OF

### THE CHIEF OF ORDNANCE.

ORDNANCE OFFICE, WAR DEPARTMENT,  
October 19, 1868.

GENERAL: I have the honor to submit the following report of the principal operations of the ordnance department during the fiscal year ended June 30, 1868, with such remarks and recommendations as the interests of that branch of the military service seem to require.

The fiscal resources and disbursements of the department during the year were as follows, viz:

Amount of appropriations in treasury June 30, 1867..	\$14,430,527 28
Amount in government depositories to the credit of disbursing officers on same date .....	340,230 52
Amount of appropriations from June 30, 1867, to June 30, 1868, including the fixed annual appropriations for arming and equipping the militia.....	2,019,642 00
Amount received since June 30, 1867, on account of damages to arms in hands of troops, from sales of arms to officers, and condemned stores, and from all other sources not before mentioned.....	2,330,767 26
<b>Total.....</b>	<b>19,121,167 06</b>
<hr/>	
Amount of expenditures since June 30, 1867.....	\$3,092,002 15
Amount turned into the "surplus fund".....	100,000 00
Amount of deposits in treasury not yet reported to the credit of the appropriations.....	149,924 73
Amount in government depositories to credit of disbursing officers on June 30, 1868.....	1,132,030 31
Amount of appropriations in treasury on same date..	14,647,209 87
<b>Total.....</b>	<b>19,121,167 06</b>

The total amount of the expenditures of the department during the last fiscal year is less than three-fifths of that during the preceding year, including all the expenses of new and unfinished arsenals in course of erection and completion; of supplying troops in the government service and the quotas of the State militia; of tests and experiments, and of settling war claims.

The estimates for the next year are confined to sums necessary to defray the current expenses of the ordnance service; to carry on the construction of new arsenals as authorized and directed by law, and to keep in order the finished arsenals. They are fully explained, and set forth in detail by remarks appended to them.

There are now 27 United States arsenals in charge of this department. The character and importance of these arsenals classify them as follows: first class, arsenals of construction, repair, and deposit, including the national armories, nine; second class, arsenals of repairs and deposit, nine; third class, arsenals of deposit, nine. These arsenals are guarded by enlisted soldiers of ordnance, stationed at them in detachments according to their relative importance and wants, under the command of officers of their corps. The work done at them is performed by hired mechanics and enlisted ordnance men, under the direction of ordnance officers, and includes the manufacture and preparation of small-arms, accoutrements, and ammunition for all troops in the United States service, and for supplying the State militia with the quotas to which they may be entitled by law; of arming the fortifications of the country, and of preserving, repairing, and issuing all government arms, ammunition, and ordnance property of every kind. In addition to their duties at the arsenals, the officers of ordnance are charged with the examination of all new devices and inventions in arms or appliances therefor, and with trials to test their practical utility, and with the inspection of all cannon, small arms, powder, implements, and equipments for the military land service.

These duties require for their proper performance officers professionally educated, of experience to supervise and to instruct others, and of careful and industrious habits. They have been satisfactorily performed, and there is no delinquency to report.

The necessary preliminary measures for building the Rock Island bridge, for selling damaged and unserviceable arms, ordnance and ordnance stores, and for removing the public property, and selling the lands at St. Louis arsenal and Liberty depot in Missouri, as directed by laws of the last session of Congress, have been taken, and the provisions of those laws are now in process of execution.

The sale of the lands at St. Louis arsenal renders it necessary to make arrangements to supply the place of that arsenal, which can be best done by an establishment for the purpose on the public land at Jefferson barracks. The following report of the ordnance board on this subject, approved by the ordnance officer, has received the sanction of the War Department:

The expediency of constructing an arsenal at Jefferson barracks, Missouri, from the proceeds of the sale of St. Louis arsenal, as proposed, having been referred to the ordnance board for consideration and report, the board, on examination, find that there is at present established on the Jefferson barrack reservation the largest gunpowder depot in the country, consisting of seven magazines, with the aggregate capacity of 45,000 barrels of gunpowder, quarters for the magazine-keeper, and small barracks to accommodate about 20 soldiers.

In the event of the discontinuance of the St. Louis arsenal, it is the opinion of the board that there should be the necessary facilities provided in buildings and machinery, &c., for the purpose of preservation of the magazines and their contents, for fixing and breaking up ammunition, and quartering the requisite number of officers and military guards.

The recommendations in the last annual report from this office to sell the small arsenals at Rome, New York, and Vergennes, Vermont, and the property belonging to the government at Harper's Ferry, West Virginia, are renewed.

The recommendation in my last annual report for the establishment of an arsenal at Omaha, Nebraska, or at some suitable point in that section of country, for supplying troops serving in the Indian country, between the Missouri river and Rocky mountains, is respectfully renewed. Recent events in that part of the country add force to the necessity for the measure.

Reports from the army in regard to the small-arms which have been

converted from muzzle-loaders into breech-loaders, and to the special ammunition therefor, continue to be highly favorable to the efficiency and superiority of these converted arms and their ammunition. The work of conversion, which had been limited to a small number of muskets, all of which have been issued for service, has been resumed with such improvements as experience has dictated, which will be applied to a further supply which has been authorized and is now in preparation. The use of breech-loading arms with metallic cartridges has called for modifications in some of the accoutrements to adapt them to more convenient use in the army, and several patterns have been prepared with this view, and will be issued to the army for trial in actual service, in order to ascertain their relative advantages before the adoption of a model.

In the last annual report from this office the unanimous opinion of the board on the armament of fortifications, composed of engineer, ordnance, and artillery officers, was quoted, showing the necessity of a large number of smooth-bore and rifle cannon for such armament.

In pursuance of this opinion, approved by the War Department, and at the request of the Chief of Engineers, a few of these cannon have been ordered, and are now nearly finished and ready for trials to test their power and endurance. It will be necessary to have a considerable number of cannon manufactured of the kinds and calibre suitable for arming permanent fortifications, and proportionate to the numbers they are now in need of to make them effective against the most formidable attacks. As the preparation and completion of such armaments require much time, it is strongly recommended that the manufacture of the smooth-bore cannon, whose power and endurance are well established, be carried on, and that of the rifle cannon also, as soon as the results of the practical tests will authorize it, as fast as the means applicable thereto will admit.

My attention having been called by the Chief of Engineers to an error in my annual report of last year, in which I say, "In December, 1866, this bureau was informed by the engineer department that 2,152 guns of heavy calibre (20, 15, and 13-inch smooth-bores, and 10 and 12-inch rifles) would be required during the year 1867, or as soon as they can be furnished," I take occasion to say that the letter of the Chief of Engineers of December 13, 1866, which was before me when the paragraph in my report was written, and from which the number was intended to be taken, called for 2,202, and that a subsequent letter from the Chief of Engineers, dated January 25, 1867, modified and reduced the number of guns called for from 2,202 to 1,915, agreeing with the number recommended by the armament board, as stated by me in my annual report for 1867, and approved by the War Department. The letter of the Chief of Engineers of January 25, 1867, was accidentally overlooked by me, and hence the error in my report as to the number of guns required by the engineer department, and which I beg leave to correct.

Attention is respectfully called to the subject of the drainage of the extensive area of marsh which was reclaimed by the enlargement of the arsenal grounds in this city. This is required on account of the healthfulness of the arsenal, as well as of a large portion of the city in its vicinity, and would also, by dredging and walling James creek, furnish increased facilities for supplying the arsenal with many articles used there.

Very respectfully, your obedient servant,

A. B. DYER.

*Brevet Major General, Chief of Ordnance*

Hon. JOHN M. SCHOFIELD,  
*Secretary of War*

# REPORT

## OF THE

### INSPECTOR OF THE MILITARY ACADEMY.

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WAR DEPARTMENT,  
OFFICE OF INSPECTOR OF THE MILITARY ACADEMY,  
*Washington, October 20, 1868.*

SIR: I have the honor to submit my third annual report of the operations of the Military Academy.

The corps of cadets, on the 1st June last, numbered 210 members, divided into four classes, each pursuing their appropriate course of study and practical instruction, under the care and direction of a superintendent, 8 professors, and 32 officers of the army.

The first class, numbering 55 members, with one exception, was graduated on the 15th June, after a critical examination by the academic board, in presence of the board of visitors; the graduates being subsequently appointed into the army, as provided by law; eight being assigned to the corps of engineers, one to the ordnance corps, eighteen to the cavalry arm, fifteen to the artillery, and twelve to the infantry; a distribution as nearly in accordance with the preferences of the graduates as the interests of the service would permit. The one member of the first class who failed to graduate was also appointed to the infantry arm upon the recommendation of the academic board.

The public presentation of their diplomas to the graduates, first adopted last year, was repeated this present year; the General of the army presiding over the ceremonies, as before, and an oration, by a member of the board of visitors and former graduate of the academy, being again a feature of the ceremony.

Examinations of the second, third, and fourth classes (as well as of the first class) were held in January and June. At the former examination, ten cadets, being found deficient, were discharged the service, and thirteen were continued with their classes, upon the recommendation of the academic board, for further consideration in June. At the latter examination, five cadets, found deficient, were discharged, and eight, upon the recommendation of the academic board, were turned back, to commence anew the studies and course of instruction upon which they had been engaged the preceding year.

During the academic year ending in June last, eight cadets resigned their appointments and left the academy; one was honorably discharged on account of physical disability, and one died of disease.

Between the 1st and 10th days of June last, 71 candidates, duly appointed, presented themselves for examination; of whom 51 were admitted and 20 rejected. Six candidates failed to present themselves for examination.

Since the above-mentioned dates, 25 candidates have been admitted upon examination, and 17 rejected; 10 of the latter being appointees from the lately admitted States, who, for want of time, had no opportu-

nity for preparation. Notwithstanding these disadvantages, eight candidates from these States passed a successful examination, and were admitted into the academy. Five other appointees failed to report, and one declined examination.

The number of cadets now at the academy is 225. When all the southern States shall be admitted to representation, the number authorized by existing law will be 290, including those appointed "at large." I deem it proper again to ask attention to the frequent recommendations of successive boards of visitors, and to the earnest recommendations of the General of the army, while Secretary of War *ad interim*, for an increase in the number of cadets. The Military Academy, at this time, can educate four hundred cadets, with no additional expense beyond their support. The necessity for an increased number of specially educated officers is admitted by all familiar with the subject. This necessity will not diminish in the future. Various schemes, designed in part to supply this need, are proposed and even received with favor. These schemes are all more expensive, and more or less remote and uncertain in their value to the nation. In view of the foregoing considerations it is an imperative duty to make known to the government the means it already has at its disposal for supplying its wants with greater certainty and at much less cost than can be effected by any new method, however attractive it may at first appear. It is earnestly advised that some legislative action on this matter be had at an early day.

The board of visitors, which, under the provisions of the law of 1842, had gradually increased in number to eighteen, by a recent enactment and from motives of economy, has been restricted to seven members.

The great value and importance of the examination of the school of the nation, by a board selected from eminent citizens, should not be overlooked. The certain knowledge by its officers that the recurrence of each year brings to West Point a body of intelligent men, unbiased, at least, in their opinions, if not sometimes really prejudiced against the institution; prepared to judge of everything just as it appears, rather than as they would have it appear, and with no motives of personal feeling or interest influencing them to report otherwise than faithfully upon what they have observed, cannot fail to have a most salutary effect upon the administration of the affairs of the academy. On the other hand it may be reasonably expected that the exposition of the institution's necessities and claims to public favor, made to the government by its chosen agents, should, under the circumstances, meet with more prompt and efficacious recognition than if disclosed through a less impartial medium.

The report of the board of visitors for 1868 is also submitted herewith. Though less extended than previous reports, the investigation made into the state of the discipline, instruction, police, administration, fiscal affairs, and other concerns of the institution, "as required by law, was none the less patient and searching.

The proficiency of the first, or graduating class, in the several branches of engineering and the science of war, ethics and law, mineralogy and geology, ordnance and gunnery, and cavalry tactics; of the second class in natural and experimental philosophy, chemistry, tactics and drawing; of the third class in mathematics, French and drawing, and of the fourth class in mathematics and French, is highly commended, as is also their proficiency in the various military manoeuvres and exercises. The board comment favorably upon the gradual and judicious relaxation of the former rigid and severe discipline maintained at the academy, and the enlargement of the privileges accorded to deserving cadets; also, upon

the faithful performance of their several duties by the professors and their assistants; upon the neatness and order maintained at the post, even in the smallest details; upon the able administration of its affairs by the superintendent of the academy, aided by the commandant of cadets, the adjutant, and the quartermaster, and upon the careful manner in which the accounts are kept and the fiscal affairs conducted.

Appropriations of \$5,000 for rebuilding the north wharf, now too small, old, and insecure for the safe and convenient landing of guns, ordnance, and other heavy stores; of \$10,000 for a building and sheds for the storage of fuel; of \$15,000 for a storehouse for wagons, carts, implements, and materials of the quartermasters' department; and of \$35,000 for a fire-proof building for public offices and the preservation of the public records, (once destroyed by fire,) are recommended.

The board close their report with their unqualified and unanimous testimony as to the value of our great military school, which gives to the country numbers of educated and high-toned men, eminent and useful in all departments of life—advantages secured to the nation at very moderate cost. They ask for the academy a generous support and all needed appropriations to preserve and increase its usefulness.

Following upon the investigation of the board of visitors are the semi-annual inspections made, in pursuance of the regulations, by the inspector of the Military Academy, which also are minute and critical, extending to many subjects that do not fall within the sphere of observation of the board. At these inspections personal conferences are had with the officers and professors of the academy, and needed and desirable improvements in the economical and efficient direction of its affairs, both at West Point and in the War Department, are devised, agreed upon, and put into operation.

From this it will be seen that the executive, as well as the legislative, branch of the government has made suitable provisions for exercising a constant supervision of the academy, and to this, in connection with the able management of the local officers, may be attributed the uniformly favorable reports of the boards of visitors to Congress.

The inspector is glad to add his personal testimony to that of the late board of visitors as to the satisfactory condition in which everything was found, and to the utter absence of cause for unfavorable criticism upon the manner in which the public interests have been cared for by those having them in charge.

During the year an addition has been made to the course at the academy in the adoption of a system of instruction in signalling and field telegraphy. The academy is the first of the schools for military education, at home or abroad, it is believed, to introduce this subject as a branch of study, so useful in military operations. Though the time allotted to it has been necessarily short, satisfactory progress has been made therein by the cadets, who have manifested much interest in the subject.

Until recently, erroneous opinions prevailed as to the alleged extravagant cost of the Military Academy, its so-called aristocratic associations and tendencies, and the disloyalty of its graduates: but it is gratifying to the friends of the institution to know that such misconceptions have, in the main, passed away, the favorable change in public sentiment being wrought by a presentation, from time to time, of facts and arguments, a few of which are hereinafter briefly stated.

The total cost of the Military Academy from its foundation to the present time, inclusive of *every* expense attendant upon its establishment and

maintenance, has been \$8,236,326 70, a large proportion of which is still, and will continue to be, available in the grounds purchased and improved, the permanent buildings and works erected, and the valuable books, instruments, and apparatus collected—all of which have been paid for out of the above named sum.

The total number of cadets admitted, including those of the present year, has been 4,969. Of these, 2,273, up to the present date, have been graduated, 224 are now at the academy, and 2,472 have been separated from it before graduation, by sundry unavoidable causes, after various periods spent there at the expense of the government—not causing it a total loss, however, as many subsequently carried into the army, the militia, and the volunteers, or other branches of the public service, or the walks of private life, such portion of the beneficial training peculiar to the institution as they had acquired during their sojourn.

The charge of exclusiveness is best refuted by referring to the mode in which cadets are appointed; that is, upon the nomination of the representatives in Congress, on whom such imputations will scarcely be laid. Their selection is left entirely uncontrolled, except by certain requirements as to physical and mental qualifications, both of which are fixed by law at the very lowest standard consistent with the public interests. If it were true that the wealthy and influential were permitted to monopolize the advantages of the academy, the fault would lie with the people's representatives; but an examination of the reports annually made to the War Department as to the pecuniary circumstances of the parents and guardians of the cadets shows that, without the aid afforded by the government through the Military Academy, not one-eighteenth of them could have obtained for themselves more than an humble education. What is charged as exclusiveness is really but the adoption and maintenance of a high standard of truth and integrity, which makes of the cadets honest and faithful public servants, and causes them to be esteemed and respected in private life. A special culture engrafted upon this elevation of character produces that professional pride and military tone which are sometimes not sufficiently appreciated, but which are indispensable, nevertheless, to the formation of the perfect soldier.

The especially unjust charge of disloyalty, most persistently adhered to, and due, it is believed, to the absence of accessible and authoritative information, has been effectually disproved by the recent work of General Cullum, of the corps of engineers, which contains information, derived from the public records, that leaves no ground for such unfair accusation in future. The loyalty of the West Point graduates is thus attested: Of the whole number of living graduates in and out of the service at the beginning of the rebellion, more than *three-fourths* remained loyal to the Union. Of the whole number of graduates in service appointed from or born in southern States, *one-half* remained loyal. Of the graduates belonging to the States which actually seceded, more than *one-fourth* remained loyal. Where else can such a record be found? Of the graduates who served against the rebellion more than *one-third* were wounded, and *one in every five* lost his life!

An institution owing its origin to the great Father of his Country, which has, in three important wars and numberless conflicts on the frontier, produced skilled, devoted, and successful leaders, and which in the recent struggle for the national existence sent forth names pre-eminent henceforth among the soldiers of the world, may well expect to receive the fostering care of the nation.

With a history so marked with results, with a rank among similar

institutions abroad flattering to the national pride, with a capacity greater than ever, what a career of future usefulness may not be hoped and expected for our distinguished national school!

Very respectfully, your obedient servant,

ED. SCHIRIVER,

*Inspector of the Military Academy.*

The Honorable SECRETARY OF WAR.

## REPORT OF THE BOARD OF VISITORS.

WEST POINT, NEW YORK, *June 16, 1868.*

The board of visitors to the United States Military Academy met, pursuant to the instructions contained in the letter of appointment of the President of the United States. Present, all the members, viz:

1. Major General William B. Franklin, Connecticut.
2. General Leslie Combs, Kentucky.
3. Henry Coppée, LL. D., Pennsylvania.
4. Professor William G. Peck, LL. D., New York.
5. Hon. H. M. Watterson, Tennessee.
6. N. G. Edwards, esq., Illinois.
7. D. W. Maxon, Esq., Wisconsin.

The board was organized on Tuesday, the 2d of June, by the appointment of General Franklin as president, and Dr. Coppée as secretary. At 11 o'clock the superintendent, General T. G. Pitcher, accompanied by the entire academic staff, made an official visit to the board at the hotel, and immediately afterwards escorted them in making a general inspection of the public buildings, including the library and rooms containing the philosophical apparatus, the chapel, the academic building, the cadets' mess hall, and the barracks, with the out-buildings, one of which contains the apparatus for heating the barracks and the academic hall. At half past one the board received a review of the corps of cadets, which was eminently satisfactory; after which they were handsomely entertained by the superintendent at his quarters, where they were introduced to the members of the graduating class.

On this day the board also received a communication from General Pitcher, the superintendent, informing them that all officers under his command had been directed to give freely all desired information, and authorizing the freest conference with them; and it may here be stated that all inquiries of the board throughout their visit were responded to in the fullest and promptest manner.

By the printed programme it was announced that from 9 a. m. until 3 p. m. of each day, (Sundays excepted,) the examination would take place in the library; the first class to be examined by the whole academic board, and the other classes by committees. In accordance with this programme, the board of visitors attended, without intermission, the examination of the first class in all their subjects of study, and a portion of that of the other classes.

First in order was the examination of the first class in engineering and the science of war. The topics principally discussed were: the mechanics of engineering, fortification, and a consideration of the great campaigns and actions in history from the earliest times. Among those actually recited on were the battle of Zama, Leuthen, and other campaigns of Frederick, several of Napoleon, and, in the recent war, Antietam, Gettysburg, Nashville, the siege of Fort Wagner, the great campaign from the



Rapidan to the surrender of Appomattox, and a general discussion of the defences of the Atlantic coast. The members of the board were unanimous in expressing their approbation of the subjects chosen, the completeness of the instruction, and the intelligence, readiness, and accuracy of the cadets. The board lay great stress upon the importance of discussing these great campaigns, especially those of Napoleon, because they establish principles which are of the greatest value to the military student, and show how conformity to these principles leads to success, while a violation of them must end in disaster.

The examination of the first class in ethics and law was also very satisfactory. The board note with pleasure that the subject of military law is made an important part of this course, and that the cadets are taught the articles of war, the organization and regulations of the army, and the subject of courts-martial.

The first class also passed an excellent examination in mineralogy and geology. Besides the discussion of special topics at the black-board, several cadets in each section, selected by lot, were required to present and describe specimens of minerals, of which a large number were arranged on tables. This was remarked as a most excellent feature in the instruction by the present professor, who has brought his department up to the demands of science at this day.

The examination of the first class in Spanish showed commendable progress, especially when the short time devoted to that branch is considered. The board were very much interested and pleased at the examination in ordnance and gunnery. These branches have made such marvellous progress within a few years that constant assiduity and labor on the part of the instructors are necessary to keep pace with their development; which seem to have been faithfully performed by the department at West Point.

The cadets displayed commendable proficiency in their examination in cavalry tactics, which was the concluding branch in the list of studies of the first class.

The small number of the board of visitors, and the necessary departure of some of them, precluded a constant attendance throughout the examination of the other classes. Members of the board, however, attended them, and were equally outspoken in the expression of their satisfaction at the methods of instruction, and the proficiency of the cadets.

The second class was examined in natural and experimental philosophy, in chemical physics and chemistry, infantry and artillery tactics, and drawing. The third class in mathematics, French, and drawing, and the fourth class in mathematics and French.

In all these departments the board found the same thoroughness of instruction and excellent progress of the cadets.

Having thus given a general statement of the examination on subjects taught in the section room, we turn to consider the military exercises, which shared a portion of each day with these. The afternoons, after 5 o'clock, were devoted to these military displays in presence of the board. The exercises were either specially requested by the board, or suggested by the superintendent.

On Wednesday, June 3, there was a special drill of the corps as a battalion of infantry, conducted by Colonel H. M. Black, commandant of cadets. The manoeuvres were exceedingly well executed, and the board were very favorably impressed with the excellence of the new tactics, Upton's, which join, with great simplicity of commands, variety and celerity of movement and ease of combination.

On Thursday, June 4, there was a special artillery drill and practice at a battery of siege guns, commanded by Major Egan; the chiefs of pieces were from the first class, and the cannoneers from the second class. The battery consisted of two 20-pounders and two 30-pounders of Parrott guns, and two 30-pounder ordnance guns—all rifled. The firing was with cylindrical shot and shell at a target 1,000 yards distant, on the right bank of the river. The aims were remarkably accurate, the great majority of the projectiles striking the target, and many of them the bull's eye. The target was afterwards brought to the hotel for the inspection of the board.

On Friday, June 5, the board attended a cavalry drill on the plain, to illustrate the school of the squadron, the troopers being selected from the first class. Major Arnold was in command. The manœuvres were skillfully made, and the charges in line and as "foragers" were very spirited.

On Saturday, June 6, in accordance with orders from the headquarters of the army, all academic exercises were suspended in honor to the memory of ex-President James Buchanan. A salute of 13 guns was fired at reveille, and half-hour guns during the day; and the flags were displayed at half-mast. At 10 o'clock a. m., the corps was paraded to hear the order read. At 11 o'clock the board accompanied the superintendent in a visit to the batteries, at north wharf, and the boat-house of the cadets, the soldiers' barracks, and the cemetery.

On Sunday, June 7, the board attended divine service in the cadets' chapel, at half past 10 a. m., when the reverend chaplain and professor of ethics, Dr. French, officiated. The attendance of the cadets at this service is required. There is also an afternoon service, the attendance upon which is voluntary.

On Monday afternoon, June 8, there was, by permission of the superintendent, a very skilful boat race, in which the prize was competed for by the shell-boats of the first, second, and third classes. The board are unanimous in expressing their conviction of the good effect of this and other relaxations granted by the superintendent to the cadets. Both the manliness and the cheerfulness of the corps are thereby greatly increased. The race, one mile and return, was won by the boat of the graduating class. The skill and strength of the rowers, the beauty of the boats, and the excellent time made, prove that the cadets have availed themselves fully of the privileges granted them.

On Tuesday afternoon, June 9, there was a drill of a portion of the first class in the exercise of the trooper, at the riding hall. The riding was particularly good, and consisted of practice with and without stirrups, and on the bare back, and in taking the ring, firing with pistols, and cutting at heads on posts and on the ground. The instruction in this department, given by Major Arnold, calls for the commendation of the board.

On Wednesday, June 10, there was a light artillery drill and practice by a battery of six pieces, under command of Lieutenant Colonel Piper. The drill was excellent; the evolutions were accurate and rapid, the dismounting of the pieces and carriages was very quickly done, and the firing was effective.

On Saturday, June 13, the corps was reviewed and inspected by Brevet Major General Schriyer, inspector of the academy.

On Monday the 15th, three ships, forming the practice fleet of the United States Naval Academy—the *Macedonian*, the *Savannah*, and the *Dale*—were off the south wharf under the command of Captain Luce, commandant of midshipmen. The midshipmen, about 300 in number,

were received by the battalion of cadets at half past 2 p. m. and conducted to the plain. At 3 o'clock both battalions of cadets and midshipmen being paraded, the diplomas were presented to the graduating class of cadets by General U. S. Grant, General of the army; after which an address was delivered, at the request of the class, by Henry Coppée, LL.D., secretary of the board of visitors.

From the foregoing statement of the observations of the board, during which they received every facility from the superintendent and all the professors and officers, they now proceed to make the following digest upon the special subjects proposed in their letter of appointment.

*Discipline.*—Having had full opportunity of observing the discipline of the corps, they are of opinion that it is in an excellent condition; so far as their knowledge goes, it has never been better. It is observed that the rigor and severity of the former system, long considered by the friends of the academy to be the best, have been in some degree relaxed, by giving numerous privileges to the deserving. The result has been, in the judgment of the board, excellent. Well behaved cadets are allowed greater liberty in communicating with friends and visitors, and all make it more a point of honor than ever to take no advantage of the privileges granted them.

*Instruction.*—Careful attendance at the examinations in most of the departments has led the board to form the judgment that the duties of the professors and their assistants are faithfully performed, that the cadets are well instructed, and that the courses of study and instruction have been kept up, in most respects, to the progress of science and learning at the present day.

The board have noticed with regret that one-half the time formerly allotted to drawing in the second class has been taken from that branch. They recommend that this time be restored, and that more of the time given to drawing be employed in industrial drawing and in out-door sketching from nature—branches which are of the most important practical utility to an officer of the army.

The board repeat the recommendation, so often made, that the department of ethics and law be dissociated from the chaplaincy. The duties are not, in most respects, cognate, and neither function is benefited by the union. There is, in the judgment of the board, enough work for a professor of ethics, &c., and quite enough separate work for a chaplain.

*Police.*—After careful examination, the board find the police as good as it can be, owing to the judicious care of the superintendent, with the means at his disposal. The persons and rooms of the cadets evince that they are fully possessed of those habits of neatness, order, and punctuality which will be of such value to them in life. All parts of the post and garrison testify likewise to the excellence of the police. The watchful eye of the government and the ready and skilful hand of the superintendent have added greatly to the comfort of the post by the increase of plain and tasteful quarters for officers and for enlisted men. The first thing that strikes the eye of the visitor is the extreme neatness and order, even in the minutest details.

*Administration.*—It is apparent, from what has already been said, that the administration is excellent. While the choice of a superintendent is now made from the whole army, and not from the engineers alone, the board are satisfied that the present incumbent is as good a selection as could have been made. Earnest, thoughtful, sympathetic, yet firm in discipline, his rule is mild and yet perfectly assured. Among his subordinates, Colonel Black, the commandant of cadets, Major Boynton, adjutant, and Major Sinclair, quartermaster, are experienced officers,

whose manner of discharging their duties called forth the unanimous approval of the board.

*Fiscal affairs.*—The board find the accounts of the academy carefully kept, according to regulations, and can best display the condition of the fiscal affairs of the institution by presenting the accompanying documents, (marked respectively A, B, and C,) which were prepared by the superintendent at the request of the board, and which are appended as a part of this report.

The first (A) presents a statement of money received and expended under each appropriation during the fiscal year ending June 30, 1868, and to include March 31, 1868.

The second (B) gives the authorized amounts paid by the treasurer of the United States Military Academy, exhibiting the annual total amounts for the year ending 30th of April, 1868, and the average amounts applicable to each cadet for the year and for one month.

The third (C) gives the authorized prices charged to cadets for clothing, &c., by the commissary department.\* The board request that these papers be published as an appendix to the report.

Under this general head, the board recommend an increase of pay to the superintendent of the academy. He is obliged to entertain freely and constantly, for the honor of the government and of the institution, and for this purpose his present pay is entirely insufficient. It is, therefore, recommended that his pay be that of a full brigadier general, and that West Point be placed upon the list of double-rationed posts, if such action is legal. Similar reasons lead the board to urge also a corresponding increase of pay to the commandant of cadets and the adjutant.

The board are of opinion that, for convenience and safety in landing ordnance and other heavy stores, the present north wharf is inadequate. It is too small, old, and insecure. They therefore recommend an appropriation of \$5,000 for building a proper one.

They also recommend an appropriation of \$10,000 for the erection of a house and sheds for the storage and preservation of fuel for the post.

Also an appropriation of \$15,000 to erect a proper building at the quartermaster's stables for storing wagons, carts, and other quartermaster's implements and materials.

Also, an appropriation of \$35,000, additional to one of \$15,000 already made, with which to erect a fire-proof building for the public offices and for preservation of the records. This building is much needed, as the public offices now occupy a portion of the library building, which is greatly wanted by the department of natural and experimental philosophy.

The board also recommend a liberal appropriation, according to the estimate of the superintendent, for enlarging and improving the cemetery.

*Miscellaneous.*—The board visited the cadets' hospital, which is under the charge of Dr. John F. Head, (surgeon,) and found it in excellent order. They also report that the mess hall was in good condition, the kitchens clean, adequate and convenient, the food excellent, and the table furniture neat and tasteful.

It is particularly recommended by the board that an engineer officer of experience be stationed at West Point, to have charge, under the orders and direction of the superintendent, of the construction and repairs of buildings, reservoirs, wharves, &c. These duties will require all of the attention of a good engineer officer of varied experience.

The board cannot close their report without offering their unanimous and unqualified testimony of the inestimable value of our great national

\* Omitted from appendix, not being of general interest.

military school. It challenges competition with similar schools in Europe; it gives to the army and to the country, yearly, numbers of highly educated and high-toned young men, who become eminent and useful in all departments of active life; and these advantages are secured at a very moderate cost to the nation. The board ask for it a generous support and all needed appropriations to secure and increase its usefulness.

Respectfully submitted:

W. B. FRANKLIN, *President.*

HENRY COPPÉE, *Secretary.*

LESLIE COMBS.

W. G. PECK.

H. M. WATTERSON.

N. W. EDWARDS.

D. W. MAXON.

# APPENDIX A.

Statement of money received and expended under each appropriation during the first three quarters of the fiscal year ending June 30, 1868, including March 31, 1868.

Heads of appropriations.	Balance unexpended June 30, 1867.	Appropriated for fiscal yr. ending June 30, 1868.	Received from other sources.	Available for fiscal yr. ending June 30, 1868.	Expended to include March 31, 1868.	Undrawn in U. S. treasury.	On deposit with asst treasurer United States, New York.	Balance available for fiscal year June 30, 1868.
Current and ordinary expenses .....	\$10,462 25	\$66,467 00	*\$215 63	\$77,144 88	\$65,253 18	\$10,000 00	\$1,891 70	\$11,891 70
Increase and expense of library .....	1,011 44	3,000 00		4,011 44	2,024 32	1,000 00	987 12	1,987 12
Warning apparatus for academic buildings .....	25,160 17			25,160 17	24 85	20,000 00	5,135 32	25,135 32
Ventilating and heating the barracks, &c. ....	16,813 53	40,000 00		56,813 53	1,088 02	54,000 00	1,725 51	55,725 51
Forage for artillery and cavalry horses .....	15,470 43	9,000 00		24,470 43	11,348 65	10,000 00	3,121 78	13,121 78
Expenses of the board of visitors .....	2,445 06	5,000 00		7,445 06	27 04	5,000 00	2,418 02	7,418 02
Gas pipes, gasometers, and retorts, (annual repairs) ..	3 88	600 00		603 88	411 00		192 88	192 88
Models for the department of cavalry .....	305 62			305 62			305 62	305 62
Furniture for hospital for cadets .....	91 43	200 00		291 43	162 50		128 93	128 93
Mess-room and kitchen of cadet hospital .....	428 86			428 86	130 15		298 71	298 71
Targets and batteries for artillery exercises .....	960 46	500 00		1,460 46	84 15	500 00	876 31	1,376 31
Barracks for artillery detachment .....	35 71			35 71			35 71	35 71
Supplying horses for cavalry and artillery practice ..	438 25	1,000 00	\$614 50	2,052 75	5 00	1,000 00	1,047 75	2,047 75
Sewers to river from sapper, &c., barracks .....	1,373 75			1,373 75			1,373 75	1,373 75
Repairs to officers' quarters .....	4 79	5,000 00		5,004 79	4,989 58		15 21	15 21
Materials for quartermasters for subaltern officers. ....	4 36	5,000 00		5,004 36	4,269 36		735 00	735 00
Iron girders for academic buildings .....	3,009 76			3,009 76			3,009 76	3,009 76
Fire apparatus .....	2,376 82			2,376 82	42 30		2,334 52	2,334 52
Purchase of fuel for warming mess hall, shoe and tailors' shops	571 70	3,000 00		3,571 70	3,037 47		534 23	534 23
Reflooring academic buildings and barracks .....	4,326 00			4,326 00	4,114 78		211 22	211 22
Removal and reconstruction of magazine .....	6,716 00			6,716 00	3,925 26		2,790 74	2,790 74
Miscellaneous items and incidental expenses .....	432 42			432 42	15 72		416 70	416 70
Continuing erection of mural tablets, &c. ....	5,000 00			5,000 00		5,000 00		5,000 00
Enlarging and improving the cemetery .....	5,000 00			5,000 00		5,000 00		5,000 00
Removal and enlargement of the gas works .....	6,000 00	20,000 00		26,000 00		26,000 00		26,000 00
Models for the department of engineering .....	2,164 49			2,164 49			2,164 49	2,164 49
Furniture for soldiers' hospital .....		100 00		100 00		100 00		100 00
Increasing supply of water by replacing mains, &c. ....		15,000 00		15,000 00	10,641 02		4,358 98	4,358 98
Ice house and additional store and servants' room. ....		7,500 00		7,500 00		7,500 00		7,500 00
Fire-proof building for public offices .....		15,000 00		15,000 00	575 86	13,000 00	1,424 14	14,424 14
Breast-height wall of water battery .....		5,000 00		5,000 00	5,000 00			
Permanent derrick on wharf .....		2,500 00		2,500 00		2,500 00		2,500 00
Enlarging cadet laundry and additional boiler and machinery.		5,000 00		5,000 00	4,925 11		74 89	74 89
Total .....	110,607 18	208,867 00	830 13	320,304 31	122,095 32	160,600 00	37,608 99	198,208 99

\* For 1 pair unserviceable oxen, \$215. For overpayment on voucher 14, April, 1867, 20 cents. For overpayment on voucher 2, July, 1867, 43 cents. Total, \$215 63.

† For 14 unserviceable horses, \$614 50.

U. S. MILITARY ACADEMY, West Point, N. Y., June 12, 1868.

T. G. PITCHER, Col. and Bot. Brig. Gen., Superintendent.

## APPENDIX B.—(Abstract.)

Statement of disbursements by the treasurer of the U. S. Military Academy, exhibiting the total amounts disbursed during the year ending April 30, 1868, and the average amounts chargeable to each cadet for the year, and also for one month. (Average number of cadets present at the academy during the year, 222.)

On what account paid.	Total amount during the year.	Average amount applicable to each cadet for the year.	Average amount applicable to each cadet for one month.	Remarks.
Board at mess-commons .....	\$52, 145 96	\$234 89	\$19 57	An auditing board examines the accounts of the purveyor every two months, and divides the entire expense for board <i>pro rata</i> among the cadets.
Laundry expenses .....	9, 704 19	43 71	3 35	The prices for washing are, for blankets, white pants, coats, and jackets, 7 cents; for shirts, drawers, sheets, &c., 5 cents; and for socks, gloves, belts, (sets) &c., 3 cents.
Commissary store .....	20, 795 54	93 67	7 80	Conducted by commissary of cadets. The articles supplied are text-books, stationery, under-garments, room furniture, &c.
Commissary clothing .....	19, 557 91	88 09	7 34	Conducted by commissary of cadets for the supplying of uniform clothing.
Commissary shoes .....	6, 479 01	29 19	2 43	Shoes made and repaired by contract, under inspection of the clothing board and commissary of cadets.
Barber, shoe-blackening, and varnishing .....	1, 532 47	6 90	58	Each cadet is charged 38 cents per month for shoe-blackening, 10 cents for hair-cutting, and 15 cents for varnishing accoutrements.
Baths .....	924 27	4 17	35	Cost of each bath, 6 cents.
Postage .....	239 10	1 48	12	One newspaper, but no more, allowed to be taken by any cadet upon obtaining permission from the superintendent.
Damages to mess-commons .....	248 10	1 12	09	Charged to individual cadets for breakage of mess furniture, &c., and credited to board account.
Damages to quartermaster's property .....	104 36	47	04	Charged to individual cadets for damages to barracks and other public buildings, and paid to the quartermaster's department.
Damages to ordnance .....	57 72	26	02	Charged to individual cadets for damages to arms, accoutrements, &c., and reverts to the United States.
Making fires and cleaning barracks .....	1, 152 42	5 20	43	Charged <i>pro rata</i> to the cadets.
Dancing master .....	399 60	-----	-----	Charged <i>pro rata</i> to those cadets who take dancing lessons.
Cotillion parties .....	365 20	-----	-----	Charged <i>pro rata</i> to those cadets who have subscribed for these parties.
Dentistry .....	740 50	3 34	28	Recommended by the surgeon and approved by the superintendent, and charged to cadets at established prices.
Cash on account, and sundry subscriptions .....	4, 927 55	22 19	1 85	Cash paid cadets going on furlough, and all other cash payments, including various subscriptions.
Balance paid in cash to cadets .....	29, 617 84	133 41	11 11	Includes amounts paid discharged cadets and graduates, the latter being paid all that stands to their credit.

1. Received for pay of cadets from May 1, 1867, to April 30, 1868 .....	\$137,569 94
2. Actual expenses of cadets, (being amount of disbursements, less the cash paid cadets) .....	120,463 90
3. Balance of pay to credit of cadets.....	17,106 04
4. Received from cadts on deposit .....	7,583 63
Total balance to credit of cadets .....	24,689 67
Of which the equipment fund, not available for expenses at the academy, amounts to .....	12,331 00
Leaving available for the cadets' expenses while at the academy . ....	12,358 67

## NOTES.

1. Received from United States on cadets' pay-rolls.
2. Includes all expenses while at the academy.
3. Including the equipment fund, formed by retaining \$2 per month from pay of each cadet until he leaves the academy.
4. The principal part of this is deposits by new cadets upon entering the academy.  
Rooms, fuel, and gas supplied by the United States. Cost of gas, \$2 38 per 1,000 feet.



# REPORT

## ON THE

### ORGANIZATION AND PROGRESS OF THE ARTILLERY SCHOOL UNITED STATES ARMY.

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HEADQUARTERS ARTILLERY SCHOOL U. S. A.,  
*Fort Monroe, Virginia, October 28, 1868.*

**GENERAL:** In compliance with instructions from the War Department, under date of October 27, 1868, I have the honor to make the following report of the organization and progress of the artillery school of the United States army, for the information of the honorable the Secretary of War, in the preparation of his annual report.

The school was organized during the last weeks of the year 1867 by the order of the General-in-chief; and, in compliance with the provisions of General Order No. 99, headquarters of the army, series of 1867, I was assigned to its command. Brevet Brigadier General Roberts, lieutenant colonel 4th artillery, and Brevet Brigadier General Hays, major 5th artillery, were assigned as field officers; and batteries G, 1st artillery, K, 2d artillery, A, 3d artillery, F, 4th artillery, and C, 5th artillery, (one from each of the five artillery regiments,) were ordered to the school as the instruction batteries for the first year.

The delays incident to the assembly of the instruction batteries, and the preparation of the code of regulations and details of the course of instruction rendered it necessary to defer the opening of the school until April 1, when the practical portion of the course of instruction was entered upon. This portion of the course has been sedulously pursued until October 15, 1868, when, as required by the regulations of the school, the semi-annual examination of the proficiency of the officers in the practical portion of the course was commenced. This examination was in progress when an order was received from the Adjutant General's Office detailing three of the five instruction batteries for temporary detached service. The examination of one of these batteries had been completed at the moment of the reception of this order, and that of the two remaining batteries has been completed since; leaving two batteries yet to be examined.

On the 1st November, proximo, the theoretical portion of instruction will be begun, and will continue until March 15, when the final examination of the officers and non-commissioned officers will be had.

The practical portion of the course has comprised tactical instruction in all the different kinds of guns, howitzers, and mortars used in the field, siege, and sea-coast artillery service of the United States army; instruction in the nomenclature, construction, and uses of their different parts, and of their carriages, and in the implements, weights of charges and projectiles, fuzes, &c. The laying of platforms for siege guns, howitzers, and mortars, and for the heavy 10-inch and 13-inch sea-coast mortars; and the transportation, mounting, and dismounting of 10 and 15-inch guns, and 10 and 13-inch sea-coast mortars, and the handling of their

heavy carriages and projectiles, was practically performed in numerous instances for the purpose of instruction.

The duties of the laboratory, as far as they concern the artillery, target practice, and general instruction in practical gunnery, including the different methods of ascertaining initial velocity and range, were practically performed in as thorough a manner as circumstances would permit.

The theoretical portion of the course, as prescribed by the staff of the school, will comprise instruction in mathematics, military surveying and engineering, artillery, military history, and military international and constitutional law, and it is confidently anticipated that this portion of the course (as the practical portion now just completed has in a great measure already done) will supply a need long felt in the artillery, and will vindicate the sagacity of the General-in-chief in establishing the school, and the supervising care of the present Secretary of War, and the General-in-chief in aiding its progress.

The formation of a library and of a museum of artillery, and the possession of certain mathematical instruments and other artillery apparatus, are necessities in an establishment designed for the practical and theoretical instruction of artillery. There remain at this time (the relics of the late school of practice) a library of 1,800 volumes and a few mathematical instruments, but both of these collections need important additions to make them what they ought to be, to keep pace with the wonderful advances of late years made, and which are still making, in the art of war. I have commenced and have made some progress in the formation of a museum of artillery.

In the administration of the school a serious difficulty has been encountered in the want of funds for the purchase of books for the library, and as text-books; mathematical and other apparatus for the illustration of the artillery instruction; and various contingent items for the artillery, museum, &c.

The post fund of Fort Monroe is quite unable to meet the outlay, and the different administrative departments of the army are restricted by law from making expenditures on these accounts. I therefore respectfully urge the necessity of the application to Congress for a small appropriation, say \$1,000, for the next fiscal year, to enable these indispensable purchases to be properly made.

I am, general, very respectfully, your obedient servant,

WILLIAM F. BARRY,

*Colonel 2d Artillery, Bvt. Maj. Gen. U. S. A., Commanding.*

The ADJUTANT GENERAL U. S. A.,

*Washington, D. C.*

P. S. I have the honor to transmit herewith copies of Artillery School, General Orders Nos. 3, 11, 20, 27, 34, 39, 42, 46, 47, and 48, which give, in greater detail, the organization and procedure of the school from its establishment to the present date.

W. F. B.

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[General Orders No. 3.]

HEADQUARTERS ARTILLERY SCHOOL, U. S. A.,

*Fort Monroe, Virginia, February 25, 1868.*

The following programme of instruction and code of regulations for the artillery school of the United States army, prepared by the staff of the school, under the provisions of General Orders No. 99, War Depart-

ment series of 1867, having been approved by the General-in-chief, and ordered to be carried into effect, are published for the observance and government of all concerned.

#### DESIGNATION.

The school shall be styled and officially known as The Artillery School of the United States Army.

#### ORGANIZATION.

The organization of the school shall be as provided for in sections 1, 2, 3, 4, and 5, of paragraph 1 of General Orders No. 99, War Department series of 1867, it being understood—

1st. The commanding officer of the school shall assign the captains of the school, in addition to their usual military duties with their batteries, to special duty as instructors of mathematics, practical engineering, and other necessary branches of instruction, in such manner as he may deem most conducive to the best interests of the school.

2d. All appointees in the artillery of the army of the United States, either from civil life or from the ranks of the army, though belonging to the batteries stationed elsewhere, shall serve one full academic year at the school, before joining such batteries; but all graduates of the Military Academy at West Point, who are assigned to the artillery, should serve at least one year with their batteries before being sent to the artillery school.

3d. The commanding officer of the school shall be, under these regulations, charged with the immediate direction and superintendence of the school, both as regards service and instruction as well as with the execution of other commands for its government, emanating from the General-in-chief. It shall be his duty to cause the course of studies established to be carried into effect, and to submit for the highest approval such changes therein, and in these regulations generally, as experience in his judgment and in that of the staff may from time to time suggest; and for such and other purposes he will assemble the staff as often as may be deemed necessary.

4th. There shall be attached to the school a band, composed of a leader, one non-commissioned officer, and twenty privates, to be enlisted for the school, and all of whom shall be distributed by the Adjutant General of the army among the batteries of the five artillery regiments; the extra pay of the leader, and all the other extra expenses of the band, to be defrayed from the proceeds of the post fund.

5th. When there is no special appropriation by Congress for the purpose, or when other funds are not available, the necessary text-books for the use of the school shall be purchased by the post fund.

6th. To enable the provisions of sections 4 and 5, as above, to be carried out, the post fund of the artillery school and of the post of Fort Monroe shall be relieved from the obligation of remitting to the several regiments of artillery the 50 per cent. of its net proceeds.

#### COURSE OF INSTRUCTION.

1. The academic year of the artillery school shall commence April 1 of each year.

2. The course of instruction will be practical from April 1 to October 31, and theoretical from November 1 to March 31.

3. The practical instruction shall comprise, in addition to what is pre-

scribed in section 1 of paragraph 4 of General Orders No. 99, series of 1867, War Department, as follows:

So much of the school of the soldier, of the school of the company, and of the school of the battalion, of the infantry tactics, as may be necessary to the foot artillery officer and soldier for his proper appearance at all the forms of review, parade, &c., &c., prescribed by army regulations.

4. In order to carry out fully the provisions of section 1, paragraph 4, of General Orders No. 99, there shall be provided for the use of the artillery school, as soon as possible, field, siege, and sea-coast guns, their carriages and platforms, all of the most recent approved models; and apparatus for determining initial velocities; specimens of all artillery projectiles in use at present, or which have been in use by the artillery of the United States at any time during the past 10 years; and finally models, upon a reduced scale, of all guns and gun-carriages in present use, or which have been projected.

5. That a laboratory be established for practical instruction in the manufacture and preparation of artillery ammunition and in military pyrotechny.

6. The theoretical course of instruction shall comprise, in addition to what is prescribed in section 2 of paragraph 4 of General Orders No. 99, series of 1867, War Department, such recitations for officers and enlisted men in the tactics of the different kinds of artillery as the commanding officer of the school may deem proper, and also recitations in such other text-books as the staff may from time to time designate.

7. All recitations shall be regulated by the commanding officer, who shall appoint the classes and select the instructors from the school; but on this, and all other matters relating to theoretical instructions, he shall first require the views and suggestions of the staff.

The commanding officer of the school is charged with the designation of the persons by whom the prescribed lectures are to be delivered, and with the assignment to such persons of the subject of the lecture.

#### EXAMINATION.

1. The annual examination shall commence on the 15th day of March of each year, (unless that day should fall on Sunday, when it will commence on the 16th day of March,) and will continue daily (excepting Sunday) until completed.

2. There shall also be an examination of proficiency of the officers and enlisted men in the practical portion alone of the course of instruction. This examination shall commence on the 15th day of October of each year, (unless that day should be Sunday, when it will commence on the 16th day of October,) and will be continued until completed.

The records of this examination will be used at the annual examination, if the weather at that season of the year should prevent out-of-door exercises.

#### MISCELLANEOUS.

1. The quartermaster of the post and school will make such issues of stationery and fuel on requisitions approved by the commanding officer as may be needed for school purposes in addition to the ordinary issues as authorized by army regulations.

2. The engineer and ordnance departments shall, on requisitions approved by the General-in-chief, furnish such articles appertaining to their respective departments as may be necessary for the school.

3. The artillery school shall have a silken color similar to the artillery regimental color, with the words "U. S. Artillery School" on a scroll

above the cannon; and shall also have camp colors like those of the regiments of artillery, substituting the letter "A" for the regimental number.

4. The commanding officer of the school is authorized to expend ammunition at such times and in such quantities as he may deem necessary for the purposes of the school.

5. Three members shall at any time constitute a quorum of the staff for the transaction of business.

By order of Brevet Major General Barry:

J. P. SANGER, *Adjutant.*

[General Orders No. 11.]

HEADQUARTERS ARTILLERY SCHOOL U. S. A.,  
*Fort Monroe, Virginia, March 24, 1868.*

I. Commencing on the 1st of April, the drills (except on Friday afternoons, and on Saturdays) will be daily as follows, until further orders, viz:

Battery G 1st artillery, siege battery.

Battery K 3d artillery, barbette battery.

Battery A 3d artillery, mortar battery.

Battery F 4th artillery, field battery.

Battery C 5th artillery, casemate battery.

The barbette battery to be used will be that of the north bastion of front No 4, and also include a 15-inch gun, to be hereafter designated. The casemate battery will be the six guns of the water battery immediately opposite the centre of the curtain of front No. 4, and will also include the 24-pound howitzers in the flanks of the east bastion of front No. 2. On Friday afternoons the drill will be exclusively in the infantry tactics, either by company or by battalion, as may be designated by the commanding officer of the post at the time.

II. The instruction at the respective batteries will include, besides the ordinary drill, all the mechanical manœuvres, and the nomenclature, uses, weights, and all other necessary information appertaining to the gun, carriage, projectiles, charges, fuzes, ranges, time of flight, &c., &c.

III. The drill will always be attended by every company officer present for duty, except the officer of the day, the officer of the guard, members of courts-martial or boards actually in session, and such other officers as may be specially excused by the commanding officer of the post. The officers marching off guard will be excused from morning drill. Officers will join their batteries on the respective battery parade grounds, and will return there with them at the termination of the drill.

IV. Brevet Brigadier General Roberts, lieutenant colonel 4th artillery, will superintend the drill and instruction at the barbette and casemate batteries; and Brevet Brigadier General Hays, major 5th artillery, that at the field, siege, and mortar batteries.

V. On the occasion of each drill, as soon as the batteries are formed after the sounding of the drill call, they will be marched to the ordnance storehouse, where they will receive the necessary implements and equipments, which will be returned to the same place at the conclusion of each drill. The senior officer present with each battery will be held accountable for the proper return of these articles.

VI. The band and field music will practice morning and afternoon during the hours appointed for drill.

By order of Brevet Major General Barry:

J. P. SANGER, *Adjutant.*

[General Orders No. 20.]

HEADQUARTERS ARTILLERY SCHOOL U. S. A.,  
*Fort Monroe, Virginia, April 22, 1868.*

I. Commencing on the 1st of May, the practical instruction will be daily, and until further orders, as follows, viz:

Battery G, 1st artillery, mortar battery.

Battery K, 2d artillery, casemate battery.

Battery A, 3d artillery, field battery.

Battery F, 4th artillery, siege battery.

Battery C, 5th artillery, barbette battery.

The exceptions and special instructions prescribed for the practical instruction in General Orders No. 11, current series, will be observed as therein directed.

II. In addition to the duties assigned to the superintending field officers in paragraph 4, General Orders No. 11, current series, these officers will order and superintend such recitations by officers, in such portions of the instruction for field and for heavy artillery then under practice, as they may deem to be necessary. It is the intent of paragraph 4, above cited, for the superintending field officers to report daily to the adjutant the names of all officers who are absent from practical instruction or recitations.

III. Battery commanders will order such recitations by non-commissioned officers of their respective batteries as may be necessary to explain the particular drill with which they are at the time engaged. These recitations will be in the text-books of "Instruction for Field Artillery" and for "Heavy Artillery," and in "Roberts's Hand-book," and will always be superintended by an officer.

By order of Brevet Major General Barry:

J. P. SANGER, *Adjutant.*

[General Orders No. 27.]

HEADQUARTERS ARTILLERY SCHOOL U. S. A.,  
*Fort Monroe, Virginia, May 22, 1868.*

I. Commencing June 1, 1868, the practical instruction will be daily, (excepting on Friday afternoons and on Saturdays and Sundays,) and until further orders, as follows, viz:

Battery G, 1st artillery, casemate battery.

Battery K, 2d artillery, field battery.

Battery A, 3d artillery, barbette battery.

Battery F, 4th artillery, mortar battery.

Battery C, 5th artillery, siege artillery.

II. Brevet Brigadier General J. Roberts, lieutenant colonel 4th artillery, will superintend the instruction of the batteries on duty with the field, siege, and mortar batteries; and Brevet Brigadier General W. Hays, major 5th artillery, the instruction of the batteries on duty with the casemate and barbette batteries.

III. The provisions of General Orders Nos. 11 and 20, current series, from these headquarters, except as above modified, will continue to be duly observed.

By order of Brevet Major General Barry:

J. P. SANGER, *Adjutant.*

[General Orders No. 34.]

HEADQUARTERS ARTILLERY SCHOOL U. S. A.,  
*Fort Monroe, Virginia, June 24, 1868.*

I. Commencing July 1, 1868, the practical instruction will be daily (excepting on Friday afternoons and on Saturdays and Sundays) as follows, viz:

- Battery G, 1st artillery, field battery.
- Battery K, 2d artillery, siege battery.
- Battery A, 3d artillery, casemate battery.
- Battery F, 4th artillery, barbette artillery.
- Battery C, 5th artillery, mortar battery.

II. Brevet Brigadier General Roberts, lieutenant colonel 4th artillery, will superintend the instruction of the batteries on duty with the field, siege, and mortar batteries; and Brevet Brigadier General Hays, major 5th artillery, the instructions of the batteries on duty with the casemate and barbette batteries.

III. The provisions of General Orders Nos. 11, 20, and 27, current series, from these headquarters, except as above modified, will continue to be duly observed.

IV. In addition to the practical instruction with the 10-inch and flank-defence casemate guns, battery A, 3d artillery, will be employed in the mechanical manœuvres of putting in position and mounting a 15-inch gun.

By order of Brevet Major General Barry:

J. P. SANGER, *Adjutant.*

[General Orders No. 39.]

HEADQUARTERS ARTILLERY SCHOOL U. S. A.,  
*Fort Monroe, Virginia, July 22, 1868.*

I. Commencing August 1, 1868, the practical instruction will be daily (except on Friday afternoons, when the drill will be in the infantry tactics, and on Saturdays and Sundays) as follows, viz:

- Battery G, 1st artillery, barbette battery.
- Battery K, 2d artillery, mortar battery.
- Battery A, 3d artillery, siege battery.
- Battery F, 4th artillery, casemate battery.
- Battery C, 5th artillery, field battery.

II. In addition, battery F, 4th artillery, will be employed in the mechanical manœuvres incident to mounting and placing in position a 15-inch gun and a 13-inch sea-coast mortar; and battery G, 1st artillery, in those appertaining to the transportation, mounting, and placing in position a 13-inch sea-coast mortar, including the laying of its platform.

III. Brevet Brigadier General Roberts, lieutenant colonel 4th artillery, will superintend the practical instruction of batteries G, 1st artillery, and F, 4th artillery; and Brevet Brigadier General Hays, major 5th artillery, that of batteries K, 2d artillery, A, 3d artillery, and C, 5th artillery.

IV. The provisions of General Orders Nos. 11, 20, 27, and 34, current series, from these headquarters, except as above modified, will continue to be duly observed.

By order of Brevet Major General Barry:

J. P. SANGER, *Adjutant.*

[General Orders No. 42.]

HEADQUARTERS ARTILLERY SCHOOL U. S. A.,  
*Fort Monroe, Virginia, August 24, 1868.*

I. The practical instruction for the month of September will be daily (except on Saturdays and Sundays, and on Friday afternoons, when the instruction will be in the infantry tactics) as follows, viz:

1. Completing the platforms for the siege-gun and sea-coast mortar batteries, which were commenced during the latter portion of the month of August, and mounting the guns and mortars thereon.

2. Target practice with the field, siege, and sea-coast guns and howitzers, and with siege and sea-coast mortars; and competitive trials of the various projectiles and fuzes at present used in the United States service.

3. Use of the plane-table for obtaining ranges; of Benton's electro-ballistic pendulum, and Schultze's chronoscope for obtaining initial velocities; and of Rodman's pressure-plug for ascertaining initial strain.

4. Laboratory duty; to comprise military pyrotechny and the preparation of artillery ammunition.

II. Battery G, 1st artillery, in addition to the above, will mount a 15-inch gun by means of hydraulic jacks and blocks.

III. On the subject of target practice, the attention of all officers, and particularly of battery commanders, is called to Article XI, revised United States army regulations.

By order of Brevet Major General Barry:

J. P. SANGER, *Adjutant.*

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[General Orders No. 46.]

HEADQUARTERS ARTILLERY SCHOOL U. S. A.,  
*Fort Monroe, Va., September 19, 1868.*

As directed by the regulations of the artillery school, the examination in the practical portion of the course of instruction will commence October 15 proximo, and will continue thereafter daily (Sundays excepted) until completed.

The staff of the school has decided that this examination shall be conducted as follows: "Each lieutenant shall be required to drill a detachment in the service of, and mechanical manœuvres with, each of the guns, howitzers, and mortars now in use in the United States service, at which they have had practical instruction; and they shall afterwards be required to answer such questions relating to the nomenclature of the guns and carriages, to the weights and kinds of projectiles, charges of powder, fuzes, times of flight, construction of platforms, and practical gunnery, as the staff of the school may direct."

In preparation for this examination, the attention of all lieutenants is particularly called, by the commanding officer, to the Tactics of Field and Heavy Artillery, to Roberts's Hand-book of Artillery, and to the examination of non-commissioned officers which has been made monthly by the commanding officer.

By order of Brevet Major General Barry:

J. P. SANGER, *Adjutant.*



[General Orders No. 47.]

HEADQUARTERS ARTILLERY SCHOOL U. S. A.,  
*Fort Monroe, Virginia, September 20, 1868.*

I. In compliance with General Orders No. 99, headquarters of the army, series 1867, and with the regulations of the artillery school, the theoretical portion of the course of instruction will commence November 2 proximo. The staff of the school has, for the present, arranged the course for officers under the following heads, and has designated the text-books as follows, viz:

*Mathematics.*—Davies's Elementary Algebra, Davies's Elementary Geometry and Trigonometry, Mendell's Military Surveying.

*Mechanics.*—Text-book to be designated hereafter.

*Artillery.*—Benton's Ordnance and Gunnery, Ordnance Manual, Benét's Treatise on Chronoscope, &c.

*Engineering.*—Mahan's Field Fortifications, Mahan's Outpost and Advanced Guards.

*Astronomy.*—Smith's Illustrated Astronomy.

*Geography.*—Text-book to be designated hereafter.

*Military History.*—Text-book to be designated hereafter.

*Military and International Law.*—Kent's Commentaries, Halleck's (abridged) International Law.

The staff has directed that the theoretical course for officers shall commence with the studies arranged under the heads of artillery, engineering, and law.

II. The staff has further arranged that the course of theoretical instruction for non-commissioned officers and such other enlisted men as may be designated, shall embrace spelling, reading, writing, arithmetic, geography, the tactics of heavy artillery, and the school of the piece light artillery, Roberts's Hand-book of Artillery, the Army Regulations, and the Articles of War.

III. The classes, instructors, hours, and modes of recitation, and other details of the theoretical course for officers and enlisted men, will be designated by the commanding officer in subsequent orders.

By order of Brevet Major General Barry:

J. P. SANGER, *Adjutant.*

[General Orders No. 48.]

HEADQUARTERS ARTILLERY SCHOOL U. S. A.,  
*Fort Monroe, Virginia, October 5, 1868.*

During the course of theoretical instruction at the artillery school, to commence November 1 proximo, the following regulations will be observed, viz:

I. Recitations of officers will take place daily, (Saturdays and Sundays excepted,) from 9 $\frac{3}{4}$  o'clock a. m. until 11 $\frac{1}{2}$  o'clock a. m., and from 11 $\frac{1}{2}$  o'clock a. m. until 1 o'clock p. m.

In each subject of study the officers will be divided into two classes. The first lieutenants will, for the present, constitute the first class, and the second lieutenants the second class.

No officer will be excused from recitation except on account of sickness, or other sufficient reason, to be judged of in each case by the commanding officer.

The following named captains are appointed instructors of officers, viz: Brevet Major Shinn, captain 3d artillery, military surveying, engineering, and astronomy.

Brevet Colonel Williston, captain 2d artillery, military history and geography.

Brevet Colonel Henry, captain 1st artillery, military, international and constitutional law, and mathematics.

Brevet Major Campbell, captain 4th artillery, mathematics, mechanics, and artillery.

Brevet Brigadier General Roberts, lieutenant colonel 4th artillery, will have a general supervision of the theoretical instruction of the officers.

II. Recitations of the non-commissioned officers and other enlisted men will take place on Tuesdays, Thursdays, and Saturdays, from 1 o'clock p. m. until 2½ o'clock p. m. For the purposes of instruction the enlisted men will be divided into such classes as their capacity and acquirements may render most convenient. No enlisted man, of those under instruction, will be excused from recitations, unless prevented from attending by the military duty of guard and police, or by such other causes as may, in each case, be judged sufficient by the commanding officer.

The following named officers are appointed instructors of enlisted men, viz:

Brevet Major Rodney, first lieutenant 4th artillery.

Second Lieutenant Davis, 1st artillery.

Second Lieutenant Thornburgh, 2d artillery.

Second Lieutenant Wood, 5th artillery.

Brevet Brigadier General Hays, major 5th artillery, will have a general supervision of the theoretical instruction of the enlisted men.

III. Each instructor will keep a record of the recitations of his class upon the printed blank forms which will be supplied by the adjutant of the school, and will send to the adjutant every Saturday afternoon the record of the recitations for the week. These records will be kept in the same manner as at the Military Academy at West Point. The weekly aggregate of the recitations of each individual in each study will be entered in a book by the adjutant of the school, for the information of all, and for the future reference of the staff of the school.

IV. The instructors will be excused from the duties of officer of the day, garrison courts-martial, and boards of survey, but will attend to all of their other military duties.

V. In order to lessen as much as possible the interruptions to study and recitation, arising from the calls of military duty, and to enable officers to devote as much as possible of their time to the theoretical course of instruction, the detail of lieutenants for the duty of officer of the guard will be intermitted during the months of November, December, January, February, and March, and they will be placed upon the roster of officer of the day.

For the same reasons the adjutant of the school will be relieved of the duties of adjutant of the post. Brevet Captain Howe, second lieutenant 4th artillery, is appointed post adjutant.

VI. Drills will take place on the afternoons of Mondays, Wednesdays, and Fridays, and will be in artillery or infantry, as may be designated from time to time by the commanding officer.

By order of Brevet Major General Barry:

J. P. SANGER, *Adjutant.*

REPORT  
OF  
MAJOR GENERAL O. O. HOWARD,  
COMMISSIONER OF BUREAU OF REFUGEES, FREEDMEN, AND ABANDONED LANDS,  
TO THE  
SECRETARY OF WAR,  
OCTOBER 14, 1868.

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WAR DEPARTMENT, BUREAU OF REFUGEES,  
FREEDMEN, AND ABANDONED LANDS,  
*Washington, October 24, 1868.*

SIR: I have the honor to submit for the consideration of his Excellency the President of the United States the following report, called for by an act of Congress, approved March 3, 1865:

Civil governments having been reorganized in several States, and civil magistrates having assumed jurisdiction over some portion of the affairs formerly under charge of this bureau, a large reduction has been made in the number of officers and agents. Arrangements are now being made for the discharge of all agents on or before the 1st of January, 1869, except such as may be necessary to continue the educational and claim divisions.

The several departments of the bureau, viz: the land and claim divisions, the financial, medical, subsistence, and educational divisions are each reported under their appropriate heads.

LAND DIVISION.

Nearly all the abandoned lands formerly in the possession of the bureau have been restored, and orders have been issued for the restoration of the balance now reported, or for dropping such property from the returns, except in cases where the government has acquired the title by due process of law.

*Schedule of property in possession and property restored since last annual report.*

States.	Number of acres in possession.	Number of pieces of town property in possession.	r of acres restored.	Number of pieces of town property restored.
Virginia.....	9,336	42	3 218	36
North Carolina.....	2,540		2,401	1
South Carolina.....	74,669	15	11,025	2
Georgia.....	650		39,632	17
Tennessee.....	21,582	99	6,404	59
Kentucky.....				
Alabama.....		2		5
Mississippi.....				
Louisiana.....	3,040	321	650	4
Arkansas.....	27,717	23	12,070	10
Texas.....			710	3
Florida.....	100	273		
Maryland and Delaware.....				
District of Columbia, Virginia, &c., included in Virginia.....				
Total.....	139,634	775	76,100	137

The number of acres reported in possession last year was 215,024, of which 76,100 have been restored, leaving 139,634 acres now in possession.

The discrepancy of 710 acres thus shown between this report and the report for last year arises from that number being reported restored during this year, but not previously reported in possession by the assistant commissioner of Texas.

The number of pieces of town property reported last year was 950; the number restored during the year is 137, leaving in possession at this date 775.

The discrepancy of 38 pieces between the last report and this arises from that number of government buildings having been transferred during the year to the quartermasters' department by the assistant commissioner of Georgia.

#### CLAIM DIVISION.

In March, 1866, the officer in charge of the land division was instructed to act as claim agent for colored soldiers, and prepare their bounty and other claims for settlement without fees, thus saving to them large sums which they would be obliged to expend in prosecuting such claims through the ordinary private agencies.

To the same division was committed the work of examining treasury certificates and checks received in accordance with the joint resolution of Congress, which required all such certificates for settlement of claims of colored soldiers to be made payable to the Commissioner of this bureau.

The business of this division has continued to increase, as the following schedule shows:

*Schedule A, showing the operations of the prosecution branch of the claim division, Bureau of Refugees, Freedmen, and Abandoned Lands, for the year ending August 31, 1868.*

Number of claims pending at date of last annual report, August, 31, 1867.....	4, 266	
Number awaiting completion of evidence.....	514	
Total remaining unsettled.....		4, 780
Number of claims received since date of last report.....		1, 034
Total.....		<u>5, 814</u>
Number of claims allowed.....	1, 735	
Number of claims disallowed.....	250	
Total number thus disposed of.....		1, 985
Number pending in the various departments of the government.....	3, 253	
Number awaiting completion of evidence.....	576	
Total number remaining unsettled.....		3, 829
Total.....		<u>5, 814</u>
Aggregate amount collected and paid to claimants during the year ending August 31, 1867.....		<u>\$64, 494 29</u>
Aggregate amount of certificates, checks, drafts, &c., received since date of last annual report (August 31, 1867) and forwarded to the chief disbursing officers for payment		<u>\$340, 154 17</u>

*chedu le B.*

The following schedule shows the work of the certificate branch of the claim division (organized under the act of Congress approved March 29, 1867,) since date of last report:

Certificates in process of adjustment, August 31, 1867, per last report.....		10
Received from September 1, 1867, to and including August 31, 1868:		
Second Auditor's certificates.....	17, 764	
Fourth Auditor's certificates.....	281	
Checks.....	8	
		<u>18, 053</u>
Total.....		<u>18, 063</u>
Sent chief disbursing officer for payment:		
Second Auditor's certificates.....	16, 729	
Fourth Auditor's certificates.....	271	
Checks.....	5	
		<u>17, 005</u>

In process of adjustment at this office, August 31, 1868:

Second Auditor's certificates.....	1,045
Fourth Auditor's certificates.....	10
Checks.....	3
	<hr/>
	1,058
Total.....	<hr/>
	18,063

Value of checks and certificates above reported as sent.. \$3,439,493-77

For the amount actually paid to claimants, see division of finances.

### TRANSPORTATION.

Transportation has been furnished to refugees and freedmen as heretofore, but the amount has been greatly reduced.

#### Transportation issued by chief quartermaster.

Month.	Number of orders issued for passengers.	Number of orders issued for freight.	Number of invoices approved.	Number of refugees transported.				Number of freedmen transported.				Number of officers and agents.	Number of teachers.	Grand total of passengers transported.	Number of packages of freight transported.
				Men.	Women.	Children.	Total.	Men.	Women.	Children.	Total.				
October, 1867.....	178	1	22	6	12	14	32	310	277	216	803	10	238	1,083	253
November, 1867.....	131	1	43	9	14	14	37	27	37	19	83	8	94	222	143
December, 1867.....	133	.....	49	2	2	2	6	14	35	20	69	13	87	175	461
January, 1868.....	104	.....	113	1	5	3	9	41	54	41	136	14	57	216	451
February, 1868.....	75	.....	70	2	9	5	16	19	36	28	83	9	29	137	204
March, 1868.....	105	.....	40	1	9	14	24	27	47	37	111	10	40	185	217
April, 1868.....	107	.....	42	8	12	12	32	275	291	200	766	18	23	838	150
May, 1868.....	105	.....	30	4	5	4	13	27	66	42	135	10	21	179	64
June, 1868.....	144	1	8	6	7	6	19	42	122	45	209	4	42	274	34
July, 1868.....	129	.....	5	5	7	5	17	80	96	39	215	12	21	265	10
August, 1868.....	119	1	.....	5	7	6	18	13	32	16	61	11	76	166	1
September, 1868.....	425	1	15	4	5	3	12	16	36	32	84	11	416	523	67
Total.....	1,755	5	437	53	94	88	235	891	1,129	735	2,755	130	1,143	4,263	2,055

#### Transportation issued by assistant commissioners, as shown by their reports on file in office of chief quartermaster.

Month.	Number of orders issued for passengers.	Number of orders issued for freight.	Number of invoices ap- proved.	Number of refu- gees transported.				Number of freedmen transported.				Number of officers and agents.	Number of teachers.	Grand total of passen- gers transported..	Number of packages of freight transported.
				Men.	Women.	Children.	Total.	Men.	Women.	Children.	Total.				
October, 1867.....	96	41	.....	.....	.....	.....	.....	53	37	11	101	56	2	159	452
November, 1867.....	61	48	.....	.....	.....	13	13	28	31	11	70	37	.....	120	623
December, 1867.....	77	29	.....	1	1	33	35	20	17	7	44	50	1	130	140
January, 1868.....	81	34	.....	.....	.....	29	29	57	27	14	98	52	5	184	140
February, 1868.....	105	28	.....	8	12	11	31	111	91	39	241	80	6	358	230
March, 1868.....	70	31	.....	45	38	.....	83	63	22	6	91	43	1	218	246
April, 1868.....	69	22	.....	10	12	4	26	136	12	17	165	59	9	259	125
May, 1868.....	66	26	.....	14	9	.....	23	59	45	27	131	57	5	216	201
June, 1868.....	71	25	.....	12	23	.....	35	48	20	16	84	62	8	189	117
July, 1868.....	60	18	.....	3	.....	.....	3	13	13	25	51	52	4	110	194
August, 1868.....	57	11	.....	4	.....	.....	4	20	18	.....	38	57	5	104	80
* September, 1868.....	68	26	.....	8	8	8	24	51	28	14	93	50	4	171	212
Total.....	881	339	.....	105	103	98	306	659	361	187	1,207	655	50	2,218	2,760

\* Estimated.—Reports for September not received.

## RECAPITULATION.

Orders for passenger transportation:	
Number issued by chief quartermaster.....	1,755
Number issued by assistant commissioners.....	881
Total.....	2,636
Orders for transportation of freight:	
Number issued by chief quartermaster.....	5
Number issued by assistant commissioners.....	339
Total.....	344
Invoices for transportation of stores under General Orders No. 138, War Department, Adjutant General's office, series of 1865:	
Number approved by chief quartermaster.....	437
Number approved by assistant commissioners.....	
Total.....	437
Refugees:	
Number transported on orders issued by chief quartermaster.....	255
Number transported on orders issued by assistant commissioners.....	506
	541
Freedmen:	
Number transported on orders issued by chief quartermaster.....	2,755
Number transported on orders issued by assistant commissioners.....	1,207
	3,962
Officers and agents:	
Number transported on orders issued by chief quartermaster.....	139
Number transported on orders issued by assistant commissioners.....	655
	785
Teachers:	
Number transported on orders issued by chief quartermaster.....	1,143
Number transported on orders issued by assistant commissioners.....	59
	1,193
Total number of persons transported.....	6,481
Freight, stores, &c.:	
Number of packages transported on orders issued and invoices approved by chief quartermaster.....	2,055
Number of packages transported on orders issued and invoices approved by assistant commissioners.....	2,760
Total.....	4,815

## FINANCES.

*Refugees and freedmen's fund.*

As stated in my preceding reports, the money derived from miscellaneous sources is termed the refugees and freedmen's fund, to distinguish it from the regular appropriation. The following statement shows the receipts and expenditures on account of this fund for the period above stated:

Amount on hand August 31, 1867.....	\$97,253 35
Received from various sources as follows:	
Freedmen's fund.....	19,947 47
Total.....	117,200 82

*Expenditures.*

Freedmen's fund.....	\$862 14
Contingent.....	3,319 84
Schools.....	97,430 65
Transportation.....	22 45
Total expended.....	101,635 08
Balance on hand August 31, 1868.....	15,565 74
	117,200 82

The term "freedmen's fund," above used, embraces all moneys received during the year, and is made up of rents, fines, sales of old property, &c. The amounts expended under heads of "contingent" and "freedmen's fund" was in payment of claims originating prior to July 1, 1866, and could not be paid from the regular appropriation.

*Fund for relief of freedmen or destitute colored people in the District of Columbia.*

A resolution of Congress appropriating fifteen thousand dollars (\$15,000) for the above named purpose, was approved by the President March 16, 1867, the same to be expended under the direction of the Commissioner of Refugees and Freedmen.

Balance on hand August 31, 1867.....	\$12, 126 15
Amount expended during the year ending August 31, 1868.....	12, 126 15
	<hr/> <hr/>

This appropriation was expended in small sums for fuel, groceries, clothing, &c., for the relief of colored people actually in need.

*Fund for temporary relief of destitute people in the District of Columbia.*

An act of Congress appropriating fifteen thousand dollars (\$15,000) for the above purpose was approved by the President March 10, 1868, the same to be expended under the supervision of the Commissioner of Refugees, Freedmen, and Abandoned Lands: *Provided*, That as far as practicable said sum shall be expended in the employment of persons upon the public grounds and works in the District of Columbia, for which appropriations have heretofore been made by Congress, such laborers to be under the direction of the officer acting as Commissioner of Public Buildings and Grounds.

Amount of appropriation.....	\$15, 000
Amount expended to August 31, 1868.....	15, 000
	<hr/> <hr/>

The above appropriation was nearly all expended in labor on the public grounds and works in this District. A small amount was expended for fuel, groceries, clothing, &c., for those actually in need to prevent suffering.

*Retained bounty fund.*

As stated in all previous reports, this bureau holds a small portion of the State bounties of certain colored soldiers enlisted in Virginia and North Carolina in 1864 and 1865. This portion (one-third) of their bounty was withheld by virtue of General Orders No. 90, department of Virginia and North Carolina, series of 1864, and was in the hands of superintendents of negro affairs and other officers until the organization of this bureau, when it was turned over to the Commissioner. It has been paid back to the persons from whom it was withheld, or their legal heirs, as fast as they could be found and identified.

Amount on hand August 31, 1867.....	\$39, 502 36
Amount paid back during the year ending August 31, 1868.....	9, 538 53
	<hr/> <hr/>

Balance on hand August 31, 1868.....	29, 963 83
	<hr/> <hr/>



*School fund.*

Section 12, public act of July 16, 1866, provides that "the Commissioner shall have power to seize, hold, lease or sell all buildings and tenements, and any lands appertaining to the same, or otherwise formerly held under color of title by the late so-called Confederate States, and not heretofore disposed of by the United States, and buildings or lands held in trust for the same, by any person or persons, and to use the same, or appropriate the proceeds derived therefrom, to the education of the freed people."

Amount on hand August 31, 1867.....	\$5, 484 53
Amount received to August 31, 1868.....	36, 236 34
Total.....	<u>41, 720 87</u>
Expenditures:	
Salaries of teachers, rental and repairs of school buildings...	33, 855 30
Balance on hand August 31, 1868.....	<u>7, 865 57</u>

This has been considered a local fund, each assistant commissioner expending it for the benefit of the district in which it was raised.

*Appropriation fund.*

Amount on hand August 31, 1867.....	<u>\$7, 413, 061 87</u>
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*Expenditures.*

Salaries of commissioners and sub-assistant commissioners.....	\$455, 473 06
Salaries of clerks.....	409, 270 85
Stationery and printing.....	54, 958 93
Quarters and fuel.....	193, 797 21
Clothing for distribution.....	114, 691 56
Commissary stores.....	945, 867 21
Medical department.....	365, 746 04
Transportation—officers and agents.....	131, 511 85
Transportation—freedmen.....	105, 587 39
Transportation—stores.....	60, 968 52
Forage.....	74, 592 22
School superintendents.....	23, 373 01
Buildings for schools and asylums, including construction, rental, and repairs.....	811, 237 71
Telegraphing and postage.....	28, 828 70
Internal revenue.....	1, 769 26
Southern relief.....	36, 751 67
Total expended.....	<u>3, 814, 425 19</u>
Balance in hands of agents August 31, 1868.....	\$672, 608 51
Undrawn from treasury.....	<u>2, 926, 028 17</u>
Total balance August 31, 1868.....	<u>3, 598, 636 68</u>

The disbursement under head of southern relief, in the above list of expenditures, was made pursuant to a resolution of Congress for the relief of the destitute in the southern and southwestern States, approved March 30, 1867. The amount set apart by the Secretary of War for this purpose was \$500,000, from the appropriation of this bureau.

The amount expended last year was \$370,592 54, which added to the amount this year, \$36,751 67, gives \$407,344 21. Had the salaries of

clerks and agents engaged in its distribution, and the transportation of the stores been charged to this account, the amount of \$500,000 would have been fully expended.

*Pay, bounty, and prize money fund.*

By joint resolution of Congress, approved March 29, 1867, it was enacted that "all checks and treasury certificates to be issued in settlement of claims for pay, bounty, prize money or other moneys due to colored soldiers or marines or their legal representatives, now residing or who may have resided in any State in which slavery existed in the year 1860, the claim for which has been or may be presented by an agent or attorney, shall be made payable to the Commissioner of the Freedmen's Bureau."

Amount on hand August 31, 1867.....	\$531,625 10
Amount received during the year.....	3,439,455 74
Total.....	3,971,080 84
Amount paid claimants and attorneys during the year...	2,557,362 84
Balance on hand August 31, 1868.....	1,413,718 00

This balance is deposited in the United States treasury and other authorized depositories.

The system of payments at first adopted is still followed. In the arduous and difficult task of finding, identifying, and paying these claimants I have been ably assisted by agents of the bureau and officers of the army. When it is remembered that many of these claimants are not only scattered through the northern and middle States, but have re-enlisted in the regular army and are serving on our extreme western frontier, the difficulty of reaching them will be better understood.

*Recapitulation.*

Balance on hand, refugees and freedmen's fund.....	\$15,565 74
Balance retained bounty fund.....	29,963 83
Balance school fund.....	7,865 57
Balance appropriation fund.....	3,598,636 68
Balance pay, bounty, and prize money fund.....	1,413,718 00
Total balance on hand August 31, 1868.....	5,065,749 82
Deducting pay, bounty, and prize money fund, and retained bounty fund.....	1,443,681 83
Unexpended balance August 31, 1868.....	3,622,067 99

MEDICAL DIVISION.

The annexed tables exhibit the number of refugees and freedmen, respectively, treated during the year ending June 30, 1868. A comparison with corresponding summary for the year previous shows but little variation in the number of refugees treated, but a diminution in the percentage of mortality. Of freedmen, about 30,000 more have been treated than during the year immediately preceding, with a reduction of one per cent. in the deaths.

*Consolidated report of refugees treated and died during the year ending June 30, 1868, with the number remaining under treatment at that date.*

Districts.	Treated.					Died.					Percentage of deaths.	Remaining.				
	Adult males.	Adult females.	Male children.	Female children.	Total.	Adult males.	Adult females.	Male children.	Female children.	Total.		Adult males.	Adult females.	Male children.	Female children.	Total.
District of Columbia.....	2				2											
Virginia.....	1				1											
North Carolina.....	1,795	3,010	909	896	6,610	30	32	19	15	96	.014	34	54	9	10	107
Georgia.....																
Alabama.....	12	15	3	7	37	3	1		3	7	.189	1	2			3
Florida.....																
Texas.....																
Louisiana.....	2				2											
Mississippi.....	21				21	1				1	.047	13				13
Arkansas.....	432	269	37	52	790	29	6	3	1	41	.052	9	10			19
Kentucky.....	17	4	2	3	26	3				3	.115					
Tennessee.....																
Total.....	2,282	3,298	951	958	7,489	66	41	22	19	148	.019	57	66	9	10	142

*Consolidated report of freedmen treated and died during the year ending June 30, 1868, with the number remaining under treatment at that date.*

Districts.	Treated.					Died.					Percentage of deaths.	Remaining June 30, 1868.				
	Adult males.	Adult females.	Male children.	Female children.	Total.	Adult males.	Adult females.	Male children.	Female children.	Total.		Adult males.	Adult females.	Male children.	Female children.	Total.
District of Columbia.....	1,638	2,353	669	785	5,445	83	98	63	48	312	.057	152	117	39	55	363
Virginia.....	8,156	14,670	3,873	4,093	30,792	237	210	108	169	664	.021	218	248	61	99	626
North Carolina.....	2,446	3,298	1,461	1,494	8,699	68	166	39	55	268	.03	99	166	69	66	400
South Carolina.....	14,679	21,858	8,983	9,473	54,995	244	236	146	150	776	.014	262	342	128	104	836
Georgia.....	5,950	7,060	1,935	2,010	16,955	188	149	35	37	409	.024	258	392	125	114	925
Alabama.....	778	888	385	370	2,421	43	43	18	8	112	.046	82	145	69	72	368
Florida.....	401	280	222	265	1,168	12	8	2	3	26	.022	18	23		1	42
Texas.....																
Louisiana.....	3,853	2,363	864	721	7,801	343	175	38	39	595	.076	252	132	20	22	436
Mississippi.....	2,121	1,958	827	795	5,701	123	85	15	14	237	.041	118	167	37	27	289
Arkansas.....	1,869	1,791	425	372	4,457	92	52	5	1	150	.033	125	90	34	37	286
Kentucky.....	3,310	5,249	1,710	1,695	11,964	87	71	48	47	253	.021	181	277	86	75	619
Tennessee.....	281	625	186	170	1,262	16	22	4	3	45	.035	30	34	6	7	77
Total.....	45,482	62,393	21,540	22,245	151,660	1,536	1,255	522	534	3,847	.025	1,825	2,079	674	679	5,257

Notwithstanding the large increase in number of patients under treatment the average number of medical officers in the employ of the bureau during the year has been one-fifth less than for the year ending June 30, 1867. As a consequence the labors of the medical officers have been, in many instances, considerably augmented; and it affords me pleasure to bear witness to the faithful manner in which this additional work thus imposed, as well as the duties before devolving on them, have been performed.

*Table exhibiting the number of medical officers and hospital attendants in the service of the bureau during the year ending June 30, 1868.*

Districts.	Commissioned medical officers.		Private physicians employed under contract.		Hospital attendants.			
	Number on duty during the year ended June 30, 1868.	Number on duty June 30, 1868.	Number on duty during the year ended June 30, 1868.	Number on duty June 30, 1868.	Number of male attendants employed during the year ended June 30, 1868.	Number of female attendants employed during the year ended June 30, 1868.	Number of male attendants under employment June 30, 1868.	Number of female attendants under employment June 30, 1868.
District of Columbia.	1	.....	9	7	34	38	23	22
Virginia	1	.....	16	8	45	44	23	12
North Carolina	2	1	10	7	17	19	5	2
South Carolina	1	.....	24	16	9	10	3	3
Georgia	1	.....	12	8	53	52	18	13
Alabama	1	.....	9	5	29	40	8	8
Florida	1	.....	3	2	6	6	4	2
Texas	1	.....	.....	.....	.....	.....	.....	.....
Louisiana	.....	.....	17	9	69	70	23	14
Mississippi	.....	.....	11	6	39	30	12	11
Arkansas	.....	.....	11	6	43	54	12	6
Kentucky	1	.....	12	8	9	20	5	8
Tennessee	1	.....	2	1	3	6	1	3
Total	11	1	136	83	356	389	137	104

NOTE.—From June 30, 1868, to September 30, 1868, the following changes have occurred: One commissioned medical officer has been relieved from duty in the bureau; twenty-two private physicians serving under contract have been discharged, and two private physicians employed under contract.

*Table exhibiting number of hospitals, dispensaries, and "out-door stations" in operation July 1, 1867, and June 30, 1868.*

Districts.	Hospitals.				Dispensaries and out-door stations.	
	Number existing July 1, 1867.	Number existing June 30, 1868.	Capacity, beds, June 30, 1868.		Number existing July 1, 1867.	Number existing June 30, 1868.
			Occupied.	Vacant.		
District of Columbia	2	2	236	14	4	4
Virginia	10	2	486	64	7	6
North Carolina	6	1	71	4	1	6
South Carolina	3	2	206	6	17	12
Georgia	5	3	144	113	3	4
Alabama	8	3	164	8	.....	.....
Florida	1	1	36	14	1	1
Louisiana	2	1	382	79	2	3
Mississippi	2	1	137	63	4	5
Arkansas	6	3	203	72	.....	2
Kentucky	1	1	169	.....	5	5
Tennessee	1	1	32	18	2	.....
Total	48	21	2,266	455	46	48

Aid has been rendered to the civil authorities by furnishing them medicines and hospital appliances wherewith to inaugurate and provide an efficient commencement of a hospital system of their own, for the care and treatment of destitute sick and disabled negroes requiring protection at the expense of the public.

This has been done in most cases on account of the impoverished

condition of the southern communities, as the requisite funds to procure the hospital outfit were not always at hand or easily obtained, but when once furnished the current expenses could be met.

In the larger towns, where most of the hospitals were located, a physician for the poor was employed, who rendered medical aid irrespective of the color of the applicants for relief.

The orphan asylums reported to this office as under bureau control are six in number, located as follows: Washington, D. C.; Richmond, Virginia; New Orleans, Louisiana; Lauderdale, Mississippi; Little Rock, Arkansas, and Louisville, Kentucky.

No further provision has been made for the treatment of the insane among refugees and freedmen. Such special care and attention as the bureau has heretofore been able to furnish is still afforded. The great aim has been to unburthen the bureau by turning over to the civil authorities all its sick, insane included, for future care and treatment.

The sanitary condition of the negro population has been generally good. A system of inspection of quarters of freedmen has been recommended, and whenever instituted, invariably with good results.

The subjoined table exhibits the number of cases of a few special diseases reported to this office under special instructions. It will be seen that yellow fever appeared in only two districts, viz: Louisiana and Mississippi. It will be seen that the proportion of deaths in each of the diseases reported has been small. The number of cases of small-pox is greatly reduced from last year, as vaccination has been very general, and an improvement has been made in the sanitary condition of quarters, &c., of the blacks.

*Table exhibiting special diseases, &c., reported to the office of the chief medical officer from July 1, 1867, to June 30, 1868.*

Districts.	Small-pox.		Cholera.		Yellow fever.		No. of vaccinations.	No. of births.
	No. of cases.	No. of deaths.	No. of cases.	No. of deaths.	No. of cases.	No. of deaths.		
District of Columbia.....	2	1					683	579
Virginia.....	10						112	251
North Carolina.....	19	1					231	375
South Carolina.....	17						2,849	471
Georgia.....	10	1						96
Alabama.....								23
Florida.....							25	12
Louisiana*	94	14	158	96	481	29		18
Mississippi.....	4		90	54	11	1	105	43
Arkansas.....								23
Kentucky†	100	6	3				558	195
Tennessee.....								11
Total .....	256	23	251	150	492	30	4,563	2,097

\*Cholera cases occurred from July, 1867, to February, 1868, and yellow fever from August to November, 1867.

†Cholera cases occurred in July, August, and September, 1867, and yellow fever in September, October, and December, 1867.

‡Cholera cases occurred in September, 1867.

#### COMMISSARY SUPPLIES.

The average number of persons daily assisted during the year has been sixteen thousand eight hundred and four, (16,804.)

Security for the repayment of some part of the expense of these supplies has been taken by a lien on the crops raised by those who have received help.

*Number of rations issued from September 1, 1867, to September 1, 1868.*

	Refugees.	Freedmen.	Total.
1867.			
September .....	6, 282	166, 388½	172, 670½
October .....	14, 226½	161, 929½	176, 156
November .....	11, 532½	161, 449	172, 981½
December .....	10, 142	133, 034	143, 176
1868.			
January .....	20, 605½	141, 395½	162, 001
February .....	35, 778	205, 969½	241, 747½
March .....	48, 757	221, 133½	269, 890½
April .....	22, 495	189, 932	212, 427
May .....	19, 002	310, 641½	329, 643½
June .....	18, 356	488, 428	506, 784
July .....	16, 045½	239, 833½	255, 879
August .....	14, 897	144, 224½	159, 121½
Total .....	238, 119	2, 564, 359	2, 802, 478

*Number of rations issued in each State.*

States.	Refugees	Freedmen.	Total.
District of Columbia.....		312, 636	312, 636
Virginia .....	129, 992½	740, 262	870, 254½
North Carolina .....	235	101, 508	101, 743
South Carolina .....	17, 927	93, 626	111, 553
Georgia .....	179	161, 866	162, 045
Alabama .....	886	86, 021	86, 907
Florida .....		590, 216½	590, 216½
Mississippi .....	59, 332½	101, 484	160, 816½
Louisiana .....	15, 128	182, 326	197, 454
Texas .....		170	170
Arkansas .....	13, 764	81, 267	95, 031
Kentucky .....	675	85, 495	86, 170
Tennessee .....		25, 852½	25, 852½
Maryland .....		1, 629	1, 629
Total .....	238, 119	2, 564, 359	2, 802, 478

*Average number of persons daily assisted.*

States.	Refugees.			Freedmen.			Grand total.
	Adults.	Children.	Total.	Adults.	Children.	Total.	
District of Columbia.....				858	367	1, 225	1, 225
Virginia .....	217	215	432	3, 735	1, 968	5, 703	6, 135
North Carolina .....	138	144	282	621	460	1, 081	1, 363
South Carolina .....	241	184	425	963	556	1, 519	1, 944
Georgia .....	13	23	35	522	161	683	718
Alabama .....	14	10	24	272	110	382	406
Florida .....				1, 535	1, 187	2, 722	2, 722
Mississippi .....	41	145	186	351	128	479	665
Louisiana .....	61	35	99	673	133	806	905
Texas .....					1	1	1
Arkansas .....	41	11	52	176	132	308	360
Kentucky .....	2		2	165	46	211	213
Tennessee .....	2	2	4	64	51	115	119
Maryland .....				24	4	28	28
Total .....	773	768	1, 541	9, 959	5, 304	15, 263	16, 804

## EDUCATIONAL DEPARTMENT.

The first three months in most of the schools was vacation, the southern country not permitting unacclimated teachers to remain in safety during the hot season. In some cases, however, especially where native teachers were employed, colored or white, there was but a short vacation or none at all. During the month of July 773 schools, day or night, were in operation; in August 528, and in September 639. This does not include 575 Sabbath schools in July, 290 in August, and 362 in September. The eagerness of the freedmen and their children to learn will make short vacations universal as soon as teachers capable of enduring the climate can be provided.

*Depressing influences.*—In the early autumn the schools were seriously affected by the alarm of yellow fever, by the bloody riots in New Orleans and Memphis, by the failure of the cotton crop, and last, though not least, by bitter opposition. These causes combined had a universally depressing effect.

The statistics, however, for the first six months were larger than those of the corresponding months of the previous year, showing, after all, a steady growth of school interest among the freedmen.

The last six months have been marked by a peculiar and unprecedented history. All the States south, except Texas, were occupied with the work of reconstruction, in which every class of loyal men participated.

The colored population were permitted for the first time to act in public affairs and consider grave questions, which, for themselves and posterity, had to be settled for all future time. Leading minds among them were fully occupied, and, as the popular elections came on, every male adult was summoned to the polls under strange and novel excitement.

Opposition to reconstruction, especially to the negro vote, intensified this excitement, and for a considerable period the freedmen's attention was turned away from their schools. The funds, also, which they possessed, and which had previously been spent for their children, became invested in the political canvas. Thus the means of education, as well as time and attention, were, for a while, diminished, and the school interests greatly suffered.

The general effect, however, was very desirable. This period proved a universal school of thought and debate, especially of important practical action, and all classes of the colored people were benefited by it. More new ideas were obtained and character developed, and light thrown over the dark masses, lifting the lowest from ignorance, and all to a higher manhood during this exciting time than in all their previous lives. Freedom at first illumined only a chaos of ignorance. It was followed by this period of construction, when crude elements were reduced to system and a new order of things appeared.

All the general results have also been auspicious. The constitutions adopted make provision for universal education; offices have been filled and legislators chosen with constant regard to this one great subject.

The public discussion of a permanent school system, to be cherished and superintended by the State itself, in which all children are to have equal privileges, suggested new ideas to the white people, while it gave the freedmen a higher view of learning and guaranteed its attainment.

Parents, while these discussions were going on, began to visit the schools with great interest; examinations and exhibitions at the close of the term were never before so well attended. Even those hitherto prejudiced, and leading men who had heard the negroes' education

vehemently argued for or against, came to ascertain the truth, and went away confounded, if not delighted, with what they had seen.

Meanwhile the associations of the north pressed forward with a liberality and zeal hardly expected, certainly not promised, when the year commenced. Teachers were untiring; the higher and model schools exhibited good example; normal classes and training schools began to send forth graduated pupils; school-houses in large numbers and of better model were erected in all the districts; local friends were unexpectedly found, or former enemies changed to patrons, and this bureau, with largely increased expenditure, and with its comprehensive plans, has moved steadily onward.

We are therefore happy to report that notwithstanding events so prejudicial, obstacles apparently insurmountable, and opposition in many quarters increasing in virulence, the schools during the whole year, even as to members, have more than held their own, and in attainment and efficiency have advanced in many respects more rapidly than during any other twelve months of their history.

Whatever the specific form finally adopted by the several southern States as to their educational interests, the certainty of some public system is settled in them all. This system promises to be of the very highest order, embodying the best principles, methods, and latest improvements of the loyal States; not indeed compensating for the rebellion, but in advance of anything preceding, and which will aid largely in recovering from its ruins. We may add, a system which these schools for refugees and freedmen have had a prominent part in originating, and in which they will hereafter hold a conspicuous position.

The number of day and night schools for the year ending July 1, 1868, as officially reported, has been 1,831; teachers, 2,295, and pupils, 104,327.

Of these schools, 1,325 were sustained wholly or in part by the freedmen, and they owned 518 of the buildings in which schools were held. This bureau furnished 720 buildings for school purposes. 539 of the above schools were graded, including 33 of high or normal grade. Of the teachers, 1,305 were white and 990 colored. Transportation is reported by the superintendents for 1,094 of them, adding those who have received it from these headquarters, and not yet reported, makes the whole number to whom it has been given 1,193, at a cost of about \$23,860.

The average attendance of the pupils has been 78,402 or over 75 per cent. of the whole number enrolled. Tuition has been paid by 32,675 of them, amounting in the aggregate to \$161,180 59, or a fraction over \$4 93 each.

There were also officially reported 1,009 Sabbath schools, with 4,738 teachers and 89,466 pupils; and 46 industrial schools, with 1,873 pupils.

If to all these officially reported schools and pupils we add those "within the knowledge of the superintendents but not regularly reported," the aggregate will be:

Schools of all kinds.....	4,026
Pupils in the same.....	241,819

This shows an increase for the year of—

Schools.....	351
Pupils.....	5,298

Thus it will be seen, as predicted in our last report, that the schools and pupils have not only held their own, but have exceeded in numbers the maximum of any previous period in their history.



The advancement of the pupils into higher studies, as compared with the corresponding school term of 1867, will be seen by the following:

In 1868—

Advanced readers.....	39,578
Geography.....	31,213
Arithmetic.....	48,268
Writing.....	46,113
Higher branches.....	5,712

In 1867—

Advanced readers.....	33,368
Geography.....	23,957
Arithmetic.....	40,454
Writing.....	42,879
Higher branches.....	4,661

Making an increase of 6,210 advanced readers; 7,256 in geography; 7,814 in arithmetic; 3,234 in writing, and 1,051 in the higher branches.

The amount expended by this bureau for the support of schools during the year ending July 1, 1868, is as follows:

From refugees and freedmen's fund.....	\$97,430 65
From school fund.....	33,855 30
From appropriation fund.....	811,237 71
	<hr/>
	942,523 66
By benevolent societies, churches, and individuals (estimated).....	700,000 00
By freedmen (estimated).....	360,000 00
	<hr/>
Total.....	<u>2,002,523 66</u>

#### GENERAL SURVEY.

With all that is thrilling in the history of the freedmen's education, and encouraging in their progress throughout every district during the period now reported, we are still compelled to say that embarrassments from the revived rebel spirit of the south, as seen in the facts stated, have thickened about our schools.

The following from a recent communication expresses undoubtedly the truth:

Never was the spirit of opposition more bitter and defiant than at the present time. The civil authorities, being in sympathy with this feeling, wink at all outrages; and the military, located at a few points, are often entirely unable to reach the perpetrators of wrongs. Under these circumstances you will not be surprised to learn that many of our teachers are discouraged and are unwilling to return to their fields for the coming year. The truth is, we are in the midst of a reign of terror, and unless something is done and done speedily for the relief of the persecuted Union people and friends of humanity, our educational work and interests must seriously suffer.

Had not these schools the inherent elements of life—vigorous life—which grow in spite of adverse influences, they would be quite paralyzed. As it is, they continue by the Divine blessing in a prosperous condition, and in spite of opposition their course is still onward.

*Adult education.*—Adult freed people, especially the men, are earnestly seeking that instruction which will fit them for their new responsibilities. Evening schools for adults, of great utility, are becoming more and more numerous, often conducted by volunteer friends of the colored race, and with a modesty which forbids making public mention of their work. Over 500 of these evening schools are now in operation.

*Moral condition.*—The moral condition of freedmen has not been overlooked. All teachers are required to carefully watch the habits of their children, rebuking vice and encouraging virtue. This result is reached more especially in Sabbath schools. These, as seen from the returns, have been operated throughout the entire south, reaching tens of thousands who cannot attend upon week-day teaching.

*Normal schools.*—Attention should again be called to the endowment of normal schools. Teachers trained on the ground is the urgent want of the present moment; those of whatever color who will be identified with the people, to grow into and become themselves part of the community they are forming; those who will take the schools as teachers *by profession*, carrying them with only the ordinary vacation through the entire year and through year after year; acting with steady, elevating influence upon the whole mass of the people, introducing culture into home life, a pure morality into every circle, thus perfecting solid, permanent and virtuous society.

These normal schools, so far as they are in existence, already win universal favor. The educational associations are using their funds in founding them on the broadest basis, and private individuals are bestowing liberal endowments. The principal of these, as assisted by the bureau, all of them made permanent institutions by charter of the respective States where they are located, are as follows:

National Theological Institute, Washington, D. C.; Howard University, Washington, D. C.; Saint Martin's School, Washington, D. C.; Normal School, Richmond, Va.; Berea College, Berea, Ky.; Saint Augustine Normal School, Raleigh, N. C.; Wesleyan College, East Tennessee; Fisk University, Nashville, Tenn.; Storer College, Harper's Ferry, West Va.; Atlanta University, Atlanta, Ga.; Roberts College, Lookout Mountain, Tennessee; Maysville College, Tennessee; Alabama High and Normal schools; Saint Bridget's Parochial School, Pittsburg; South Carolina High and Normal Schools.

*Benevolent associations.*—The benevolent associations have undertaken to do an equal amount and more, if possible, than last year. They are now better organized than ever, with superintendents and teachers of increased experience. Their patrons throughout the country show no abatement of zeal; though under great pressure from every quarter, they respond liberally to the continuous calls made upon them.

*Remaining want.*—Only about one-seventh of the children of freedmen are as yet receiving any kind of instruction, and we call especial attention to the following statement: By the census of 1860 there were in the field covered by the operations of this bureau 1,664,600 colored persons of suitable school age, *i. e.*, between five and twenty years; and a census taken now would not differ much from the above. The whole present number of pupils in our schools is but 241,819.

Now, if, in view of all who are studying outside of the schools, we double this number, then less than half a million of freed persons have commenced to learn from books. Deduct this number from those who are of suitable school age as given above, and there are left 1,164,600 wholly unprovided for, enough to make 23,292 schools of 50 pupils each, to say nothing of older persons.

Notwithstanding these remaining destitutions the records of facts now given show how deep are the foundations laid for the improvement, not only of the present but all generations of these freedmen. We are no longer obliged to argue "ability to learn" on the part of the negro race. A great process is going on, not of experiment but unceasingly productive results. A little more time and the movement now so complicated

will have evolved a harmonious, perfect whole, and on ground never before occupied by a common school system.

#### DISTRICT OF COLUMBIA, WEST VIRGINIA, MARYLAND, AND DELAWARE.

This district, in charge of Brevet Brigadier General C. H. Howard, as assistant commissioner, now embraces the whole of Maryland and Delaware. General Horace Brooks, United States army, was relieved August 15th, and the operations in Maryland and Delaware reduced to the educational work and settlement of soldiers' claims.

The operations of the civil rights act, the decision of Chief Justice Chase releasing colored apprentices, and the increase of general intelligence among the freedmen, making them more capable of securing their own rights in labor contracts and before the courts, have rendered practicable a large reduction of the number of agents and officers.

The following statistics from the report of the agent in charge of the interests of the freedmen before the law indicate the nature and extent of his work, principally in the District of Columbia :

Number of civil cases attended to.....	592
Number of criminal cases attended to.....	291
Number of criminal cases dismissed by order of the court, the parties being either falsely accused, or charged with frivolous offences..	101

Twenty-six out of thirty persons in jail at Upper Marlboro', Maryland, were colored. Many of these were committed for small or frivolous offences, even if at all guilty, but being unable to give bail there was no other way for them but to be confined, lose several months' work at harvest time when their labor would have brought the highest price, and be released late in the fall with no means of support for themselves or their families for the winter. Directions have been given to secure a speedy trial if possible in all such cases.

The decisions of Chief Justice Chase and Judge Giles in effect making void all indentures under the apprentice law of Maryland, were published and sent to the masters whenever complaints reached our officers. The result has been the release of a large number of children held in virtual slavery. From one sub-district alone, embracing three counties, 255 cases are reported in which the release was effected by the action of the bureau officer, and it is estimated that there were some 700 others released in the same counties in consequence of the agitation of the matter by this bureau, and the publication of the judicial decisions.

There is the same inequality of the laws of Delaware, but the civil rights act has already been sustained by a decision of Judge Hall releasing a little girl from servitude.

In West Virginia the apprentice law is the same for whites and blacks, but complaint has reached this bureau that in some few of the old slave counties there are children still held to servitude without color of law.

Negro testimony is now generally admitted throughout this district, but the difficulty remains that the juries and local magistrates allow it no weight when opposed by white witnesses.

Owing to the great number of colored soldiers recruited in Maryland and Delaware there is a particularly large amount of work in the settlement of their claims. The officer at Baltimore reports :

Number of claims acted on during the year.....	368
Number of claims on hand awaiting settlement.....	93

The disbursing officer at Baltimore reports :

Total amount disbursed on claim account.....	\$104,960 46
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The Maryland general assembly passed a law at their last session forbidding claims for State bounty to be received from an officer of the United States government, evidently intended to prevent officers of this bureau from aiding discharged colored soldiers or the heirs of those deceased in the recovery of the State bounty due them. But through the kind offices of Hon. H. L. Bond and a few other friends, in filing the claims already prepared, the bounty has been saved to many deserving claimants.

More attention than usual has been devoted to educational matters in the district during the past year.

This bureau has aided in the construction of 111 school-houses. The plan adopted has been to furnish lumber, and sometimes other material, and the freedmen would procure a site and agree to pay for the construction.

To awaken interest in the general subject of education, the assistant commissioner has held public meetings in all parts of Maryland, and in the prominent places of West Virginia, sometimes inviting distinguished speakers from abroad. At one of these meetings at Frederick, Maryland, some 5,000 colored people were present, and in every instance the meetings have been well attended, enthusiastic, and generally followed by the starting of several new schools.

Ten benevolent associations have aided in sustaining teachers in this district. In Washington and Baltimore the school authorities have since last annual report assumed the payment of the teachers' salaries.

From the consolidated monthly reports are derived the following:

Total number of schools, (Sabbath schools not included).....	257
Total number of teachers.....	326
Total number of pupils.....	12,494

Public sentiment towards colored schools has improved during the year. And yet the only allowance made by law for the support of public schools for colored children in Maryland is that part of the school fund derived from the taxes paid by colored people. In some parts of Maryland bitter hatred has been shown to colored schools. One case is reported of assault of a colored teacher in Cecil county, and another of a colored female teacher at Havre de Grace. In a locality of Anne Arundel county known as "the Forest," the prejudice is so great that the freedmen have not been able to obtain a site for a school-house.

In Delaware one school building has been burnt, but the judicious and energetic management of the Delaware association seems likely to triumph over all opposition.

In West Virginia, though the law allows an equal share of the public fund for the colored schools, yet the public sentiment in two or three counties was so strongly opposed that the school authorities took courage to resist the law. A recent judgment of Judge E. B. Hall, however, in a case brought before him at the instigation of this bureau, compelled the payment of all the dues with interest. This will probably prevent a recurrence of the attempt.

Of schools of higher grade, and which have received more or less aid from this bureau, there are reported two in Baltimore and two in Wilmington, Delaware. At Harper's Ferry, West Virginia, Storer College, which has started upon a good basis, under the auspices of the Free Baptists, and in the District of Columbia, three Baptist institutions, viz: The Wayland Seminary, being a most successful theological and normal class; Rev. Dr. Turney's Washington Educational Institute, and Rev. G. M. P. King's branch of the National Theological Institute.

Howard University, chartered by act of Congress, approved March

2, 1867, and located on Seventh, beyond Boundary street, District of Columbia, has begun a new year under favorable auspices. Mr. A. L. Barber is the successful principal of the normal and preparatory department. The collegiate, medical, and law departments, have been organized with promise of great success in the selection of their respective faculties. This bureau has aided in the erection of commodious buildings upon the admirable site selected by the trustees, and the institution bids fair to answer the design of its founders in affording an opportunity of liberal education, without distinction of race, color, sex, or religious denomination.

Twenty industrial schools are reported in this District, with 823 scholars. This bureau has, to a large extent, furnished the material for their work.

The asylum for aged and infirm freedmen, situated on the Arlington estate, Virginia, was discontinued during the past summer, its inmates having been mainly transferred to the Washington general hospital and asylum, corner Seventh and Boundary streets. The cultivatable land of the Arlington estate was rented in small lots to freedmen.

The Barry farm enterprise, mentioned in my last annual report, has continued to justify the expectations of the trustees. Whole number of acres 359; number sold 300; number remaining October 1, 1868, 59; number given up or forfeited 40.

The plan pursued by direction of the trustees has been to sell on contract to convey at the expiration of two years, requiring equal monthly payments, and stipulating a forfeiture of the lot on failure to pay as agreed. The land has been taken with avidity, and the payments, with some few exceptions, promptly and regularly made.

The freedmen who have made the purchases seem greatly encouraged at the prospect of owning a homestead. They have made up a fund among themselves for school purposes and bought one of the lots upon which the erection of a school-house large enough to accommodate 150 pupils has been completed during the year, by aid of this bureau.

Any one who sees the prosperity of this community, and witnesses the new hopefulness with which most of its members seem to be inspired, cannot fail to regard the experiment as one of the most judicious and beneficent yet undertaken in behalf of the freedmen.

In view of the necessity of relinquishing the government barracks in this city, which have for three years been occupied as tenements, it was determined by the trustees of the refugees and freedmen's fund to invest a considerable amount in the construction of tenements, to be sold and rented to the more enterprising heads of families, in the same manner as the Barry farm lots, and thus while securing a fair interest to the fund, at the same time benefit the freedmen by affording good homes at reasonable rates. Tenements for 258 families have been thus provided, and besides being of better quality will be more than equivalent in capacity to the barracks which they must leave on the discontinuance of this bureau.

The records of the employment offices of this District give: Number provided with employment from July 1, 1867, to August 31, 1868, 1,977. At the latter date they were all closed. Number of persons sent during the year on government transportation, 362.

Under the heading "Asylums," the assistant commissioner reports the details of the breaking up of Freedmen's Village, Arlington. Average number of inmates during three months, 682. The superintendent in his final report gives an interesting history of many of the cases classified under "old age," "disabled," "blind," and "insane or imbecile."

This class, including also orphans in the District of Columbia, from various causes, has accumulated during the war and since, and as they are not considered properly residents the local authorities have declined to make provision for their support. It would be impracticable to send them to be provided for by the counties of the various States where they were born in slavery, even were there any ground for believing the county authorities would consent to receive and care for them. They must therefore remain a public charge, and would seem to have peculiar claims upon the United States government.

The Orphan's Home, in a building constructed by this bureau on extension of Eighth street west, beyond the city, is now under particular supervision of the medical department of this bureau, from which rations are supplied, though its internal management is in the hands of "The Ladies Association," as heretofore.

Number of orphans for the year..... 133

Owing to the extreme cold last winter considerable clothing and fuel was distributed in this city to prevent actual suffering.

The only direct issue of rations has been through the hospital department:

Number for the year..... 301,836

For September, 1868..... 14,750

Showing a decrease of 10,800 from the corresponding month of last year.

Under the able management of Dr. Robert Reyburn, (late brevet lieutenant colonel and surgeon United States volunteers,) the medical department has been considerably reduced during the year. There remains one hospital, viz.: "The Washington General Hospital and Asylum," corner of Seventh and Boundary streets, which has a capacity of 375 beds. There have been until recently from two to five visiting physicians, but the recent change in the city government, by which the colored people have become represented upon the health board, will obviate the necessity of the further continuance of any visiting physicians.

Of the 1867 special appropriation for the destitute in this district there was on hand at last report \$11,497 67.

Paid to laborers on public works..... \$5,662 47

Paid on orders for supplies..... 4,333 70

Paid for salaries of clerks and agents..... 1,215 00

Paid for rent for freedmen and refugees..... 264 00

Paid for stationery..... 22 50

Total..... 11,497 67

Number of persons relieved on the above orders 2,315.

Of the appropriation of March 10, 1868, conditioned to be paid as far as practicable to laborers on public works, great care was taken that as many as possible should get relief; to this end only one dollar a day was paid, and the laborers changed once in two weeks. The work was done under the direction of General N. Michler, Commissioner of Public Buildings, &c.

A portion of this fund was also expended for food and other stores in small quantities, for those actually suffering from want. The entire appropriation was exhausted September 30, 1868.

## VIRGINIA.

Since the date of my last annual report there has been no change in the assistant commissionership of Virginia, Brevet Brigadier General O. Brown having continued to discharge the duties of that office.

The organization of the bureau in districts and sub-districts, with a competent and faithful officer or agent in charge of each, remains substantially the same as at the date of last report.

Sub-assistant commissioners are required to make frequent inspections of their respective sub-districts, and to report fully on all matters of interest connected with the proper discharge of their duties. By these inspections and the reports of inspecting officers from his own headquarters, the assistant commissioner is kept constantly informed of the condition of affairs throughout the State.

The tone of public opinion exhibits a gradual but constant improvement, though the prevailing sentiment of the white people leaves much to be desired with respect to a cheerful recognition of the rights of the freedmen as citizens. The assistant commissioner, in his report of operations for the month of April, 1868, states that the secret organization known as the Ku-klux Klan have made their appearance in various localities, visiting the houses of colored men at night, in some cases placing ropes around their necks, and threatening to hang them on account of their political opinions. No further violence has been offered. The object of these midnight demonstrations, which have been very rare in this State, appears to be to intimidate and control the freedmen in the exercise of their right of suffrage.

Bureau officers have had important duties to perform in securing a pure administration of justice in cases where colored persons are concerned. They have been required to attend each term of the court in their respective districts; and when in charge of more than one county, to appoint certain days in each month when they would be present at each court-house to look after the interests of the freedmen. The latter to be notified.

While the officers of the bureau have been directed not to mingle personally in the political contest consequent upon the reconstruction of the State under the acts of Congress, nor to become partisans by accepting nominations to civil office, they have nevertheless endeavored to assist the freedmen in the proper appreciation of their legal rights as citizens, and to secure to them, as far as possible, the free exercise of the same. To this end, when in November and December, 1867, the opposition to negro suffrage developed itself in the general discharge of those colored laborers who voted contrary to the wishes of their employers, bureau officials were instructed to take strong measures to redress this evil by procuring employment as far as possible for those discharged, and by relieving the wide spread destitution caused among a class who depended upon their daily labor for their support.

The issue of supplies to the destitute has been confined to cases of extreme want, and to prevent starvation. In the month of November the number of freedmen to whom aid was thus extended was 1,894, of whom 872 were inmates of the hospitals. The number of refugees aided was 192. The destitution of those colored dependents who were not in hospital was caused mainly by the discharges on account of voting, above alluded to, the closing of tobacco factories in and around Richmond, and the general stagnation of business. Under the operation of these causes the number of dependents upon government charity con-

tinued to increase, until March, 1868, it reached 15,328 freedmen, (1,152 of whom were in hospital,) and 1,793 refugees.

Instead of issuing regular rations the Commissioner directed the establishment of soup-houses at Richmond, Alexandria and other places where the suffering was most intense. Large quantities of desiccated vegetables and potatoes were, on application to General Grant, obtained from the commissary department for this purpose. By this means a great saving to the government was effected. Relief was afforded through the soup-houses at about one-third the cost of issuing rations. The assistant commissioner reports that through the month of December there was an increase (over the preceding month) of 8,309 in the number of freedmen aided by the bureau. The additional expense incurred in relieving these destitutes through the agency of soup-houses was but a little over \$100. The strictest economy compatible with efficiency was observed. The number of dependents diminished with the return of spring, being reduced in the month of August to 3,870 persons.

Efforts have been steadily made to induce the county authorities to assume the care of paupers, colored as well as white, residing within their respective jurisdictions. That these efforts have not met with more decided success is due partly to the poverty and partly to the unwillingness of the authorities appealed to. In many counties the provision for the support of paupers of either class was lamentably deficient. The bureau therefore continued to afford aid to that class who would otherwise have been utterly helpless.

In the month of October, 1867, by direction of the Commissioner, seven bureau hospitals in the State of Virginia were closed and the patients, so far as possible, transferred to the charge of the civil authorities. Those who remained without other resource were sent to the hospitals which were continued, one at Richmond and the other at Hampton, Va.

In view of the failure of the civil authorities to provide for these patients, the Commissioner, in his letter of July 1, 1868, directed General Brown to continue the medical department in Virginia without material changes until further orders.

The interest of the freed people in their schools remains unabated. The schools themselves have been highly prosperous, and their classification and discipline have been constantly improving. In November, 1867, the number of schools in operation was 197, of which 154 were public free schools. The number of teachers was 250, of whom 160 were white. Number of pupils 12,657. In the month of April, 1867, the number of schools was 269, teachers 310, pupils 16,403.

The freedmen have endeavored, to the extent of their slender means, to share the expense of conducting these schools. Many schools have been opened by the freedmen and the expense borne by themselves.

Thus, in the month of May, of 249 schools which were in operation in the State, 72 were wholly and 67 partially sustained by freedmen. The remaining 110 were wholly sustained by the various benevolent agencies. One-sixth of the entire expense of the schools during the month was borne by the freed people.

The operations of the normal schools at Richmond, Hampton and Rippen Hall have been attended with success, and it is hoped that in them will be trained an efficient corps of teachers for future usefulness.

In view of all the opposing influences to be encountered, it is considered that the educational work in Virginia is in a healthy and prosperous condition.



## NORTH CAROLINA.

Brevet Major General N. A. Miles has continued to discharge the duties of assistant commissioner for the State of North Carolina.

Orders from headquarters second military district having constituted commanders of posts sub-assistant commissioners of the bureau for their respective commands, General Miles directed the following arrangements of bureau sub-districts, to take effect March 1, 1868. The State is divided into the sub-districts of Goldsboro', Raleigh, Wilmington, and Morganton, each of which is again subdivided into sections comprising on an average three counties each, under the charge of an officer or agent.

The agents of the bureau have labored earnestly to discharge the difficult duties devolving upon them, to secure to the freed people the protection of the laws and the recognition of their legal rights, to harmonize the conflicting interests arising out of the labor question, to settle fairly and amicably the difficulties growing out of the failure of the crops and the inability of employers to pay their hands, and to promote education among the people. The confidence of the freed people in the bureau is shown by the fact that when settlements are broken up they greatly prefer to locate again in the vicinity of an agent, in order to secure his aid and counsel in the conduct of their affairs.

The duties of agents have been rendered more difficult in consequence of the animosities developed in the recent political contests. The great majority of the freedmen, actuated by the same views of their interests, have been united upon one side, and many threats of revenge upon them for so doing have been made. These threats, and many petty persecutions in pursuance thereof, have helped to stagnate and paralyze labor interests.

The assistant commissioner bears emphatic testimony to the exemplary conduct of the freed people through the entire canvass which resulted in the adoption of the new State constitution and the election of State and local officers.

The civil government of the State having become fully established by the inauguration of Governor W. H. Holden July 1, 1868, orders were promulgated discontinuing the authority heretofore given bureau officers to adjudicate civil suits, and the same were directed to be thereafter referred to the proper civil authorities. The agents, however, were still to act as counsellors and advisers of the freedmen. Difficulties being apprehended as to the prompt action of the civil courts and magistrates during this transition period, it was deemed advisable to continue for a time a portion of the civil jurisdiction in the hands of officers and agents. Upon application his excellency the governor issued commissions, as magistrates, to each officer and agent of the bureau in charge of a district. This course has worked very satisfactorily.

At the close of the season of 1867 more than the usual number of complaints were made of breach of contract and nonpayment of the dues of laborers. The time of bureau officers and agents was greatly occupied in adjudicating these cases. They were attributed partly to the disinclination, partly to the inability, of employers to pay. The partial failure of the crops and the low price of cotton left them without means to provide even necessaries for the support of laborers during the winter.

In order to remedy the defects in the system of contracts heretofore in use, and to avoid the litigation which had arisen in settlements under them, the assistant commissioner issued, January 17, a circular direct-

ing all officers and agents to carefully investigate the terms of all contracts submitted to them, and satisfy themselves that they insured a sufficient compensation to laborers, and that they were not encumbered with too many details and frivolous pretexts for fines or discharges.

Contracts for a share of the crop were not favored. Instead of these it was suggested that land-owners be, if possible, induced to contract with their laborers for partial payment in lands, giving sufficient monthly compensation to meet current expenses. If this plan could not be adopted, then to urge contracts for regular wages, payable each month. The planting of cereals in preference to cotton was also strongly recommended.

The issue of rations for the relief of destitution has been kept down to the lowest possible point. In December, 1864, the number of rations issued to inmates of hospitals and orphan asylums, as well as other dependents, was 3,430. In the month of April, 1868, the assistant commissioner reports, "Extreme destitution does undoubtedly exist to an alarming extent throughout the State. Public and private charities from abroad and the exertions of the government have been freely given to alleviate the suffering, but local authorities and resident citizens who possess means have been apathetic and indifferent. In this month the number of rations issued amounted to 7,357. Among the most deserving of the recipients of government aid were the small farmers, who had planted crops, but were without means of support until the harvest.

June, 1868, a gradual reduction of the issue of subsistence stores was determined upon, and at present it has been almost entirely discontinued except to inmates of hospitals and orphan asylums.

The expenses of the medical department of the bureau in North Carolina have been very greatly reduced by the closing of all the post hospitals, the discharge of all patients who could be treated at their homes, and the transfer of the remainder to one general hospital for the whole State, established at Salisbury.

The collection and payment of bounty claims of colored soldiers have been successfully prosecuted. There are many such claimants in the State, and they have derived great benefit from the operations of this division.

The progress of the educational work in this State is very gratifying. The greatest attention and interest have been aroused, not only among the colored people, but also among the white. The school year opened in October with 158 schools, 158 teachers, and 7,897 scholars. In April, 1868, there were in operation 336 day and night schools, with 339 teachers (138 white and 201 colored) and 16,435 pupils in attendance. The number of Sunday schools reported during the same period was 238, with 1,034 teachers and 16,187 pupils.

#### SOUTH CAROLINA.

At the date of my last annual report Brevet Major General R. K. Scott was assistant commissioner for the State of South Carolina. He continued to perform the duties of that office until succeeded by Brevet Colonel J. R. Edie, U. S. A., who was assigned to duty as assistant commissioner by Special Orders 182, War Department, Adjutant General's office, dated July 31, 1868.

The State is divided into six sub-districts, with a competent officer or agent in charge of each as sub-assistant commissioner. The condition and prospects of the freed people of the State of South Carolina at the beginning of the present year were not encouraging. The crop, though

not a total failure, had fallen far short of the expected yield along the coast and on the sea islands; the wet weather first, and afterwards the caterpillar, had nearly destroyed the cotton crop. In addition to this cause of discouragement the price of cotton was so low that after the year's settlement the planters, who had operated largely on credit, found themselves in debt and the freedmen without remuneration for their labor. In consequence of this state of affairs much litigation and criminality arose. The offices of agents were thronged with planters and freedmen calling upon them to settle differences and divide crops. Many planters strove to deprive the laborers of any portion of the proceeds of the year's labor. Brevet Major W. J. Harkinsheimer, the officer in charge of Richland and Lexington State districts, reports in December that in only one case in which he has superintended the division of crops during the month has there been any cash coming to the black man, according to the books kept by the employers. In his report for November the agent at Darlington said that in many cases the freedmen had been extravagant in the purchase of articles on the order of the employers, and had thus consumed their wages in advance. The natural results of the mutual disputes and charges of frauds in relation to the settlement of contracts, was an increased suspicion and ill-feeling between the races, which was heightened by political differences. The elections, however, passed off quietly, and few discharges on account of voting were reported to this office.

The freedmen, discouraged by past failures, and in hopes of an improvement in their situation, were slow to contract. Planters were embarrassed by their losses, and political animosities were fostered by many partisan newspapers. In some districts land-owners formed clubs agreeing to employ no freedmen who would not vote in accordance with their wishes. These sentiments were controlled, however, by self-interest and the necessity of procuring labor. As the season advanced the rise in the price of cotton and the reduction of the tax stimulated exertion, and planting was vigorously commenced. The officer in charge of Charleston sub-district reports in March: "It is generally conceded that the freedmen are doing better labor and with less trouble than at any previous time since the emancipation. A larger proportion of the land is planted in corn, potatoes, &c. \* \* \* \* All the officers of this sub-district concur in the statement that contracts of this year are much more liberal and just than those previously made."

The number of outrages and cases of lawless violence perpetrated upon the persons and property of freed people has not been so great as that reported last year, though many instances of the kind have occurred. Until the complete rehabilitation of the civil government of the State, the duties of the agents of this bureau in securing justice to the freed people continued. Bureau officers adjudicated and enforced judgment in cases of trivial nature, whether civil or criminal. They sometimes heard the statements of either or both parties in cases of assault and outrage, and then referred the cases to the nearest magistrate for his action. In districts where, by order of the military commander, provost courts were established, bureau officers were instrumental in bringing the cases before such courts. Aggravated cases of outrage, &c., were reported to the military authorities for trial. The civil magistracy of the various districts have not been efficient, particularly in the recent disorganized condition of society. The compensation of constables and deputies has been so small that responsible persons could not be procured. Where danger or resistance has been apprehended they have failed to execute the process of the law. The fees were so limited that civil offi-

cers have refused to travel a few miles for the arrest of criminals. Since the transfer of the jurisdiction of bureau officers to the hands of the civil authorities many oppressive arrests of freed people have been reported.

The causes already enumerated produced considerable suffering from destitution during the winter. In January General Scott was directed to procure from the commissary department, or by purchase, supplies of bread and corn, meat and desiccated vegetables, and potatoes, for issue to persons in extreme want. In cases of formal issue he was instructed to take a lien upon the crops or other products of industry. Honest and carefully selected agents, who would serve without salary, were to be appointed to superintend the distribution. By the execution of these instructions the suffering was greatly alleviated.

Among those who most needed supplies were freedmen who had rented land and planted crops, but whose means of support had failed. The greatest care was exercised in the issue of provisions on liens. Agents were directed to investigate thoroughly the circumstances of each applicant. Before issue the assistant commissioner demanded to be satisfied that the applicant had planted his land under such conditions that he would be able to produce from it sufficient not only to repay his advances, but to supply himself and family another year. Supplies were refused to parties engaged wholly or to an undue extent in the cultivation of cotton. Formal bonds were taken in every case of issue. By means of the timely aid thus afforded these planters were sustained until the maturing of the crops placed them beyond the apprehension of want.

The commissioners of the poor in the various districts have not made general or adequate provision for the support of paupers of either color. In some districts, as in Edgefield, the authorities have cared for all the poor without respect to color. But in general the provision for their support is very deficient, and no steps have been taken to provide for the numerous aged and infirm destitute who will always be dependent upon charity.

As a result of past habits and training under the slavery system, many cases of disregard of the obligations of the marriage contract and of wife-desertion by freedmen have been reported.

Mr. R. Tomlinson, superintendent of education for the State, reports that during the term of nine months ending June 30, 1868, the average number of schools in operation was 49; number of teachers 87 white and 36 colored; number of pupils, 6,698. Though the number of scholars enrolled is less than that reported for the preceding school term, yet the average attendance has been better and the grade of schools much higher. In addition to the above the superintendent estimates that at least 8,000 pupils were, June 1st, attending voluntary or self-supporting schools, making a total attendance upon colored schools in the State, during the past term, of nearly 15,000 pupils. There are besides a large number of Sunday schools throughout the State, which are well attended and doing much good. Many are located in places where no secular schools have been started, and through their agency large numbers of adults and children have learned to read who otherwise would have remained in total ignorance.

#### FLORIDA.

Colonel J. T. Sprague, 7th United States infantry, was appointed assistant commissioner of the State of Florida, December 6, 1866, and has continued to discharge the duties of that office.

The condition of the freed people in this State during the past year

has been very favorable. Their conduct and demeanor in their new relations to government and society have been almost uniformly reported as excellent. Peace and good order have prevailed throughout the State. Acts of outrage or violence perpetrated upon freed persons have been very rare. More harmonious relations between the races have obtained here than in most portions of the south.

Considerable disappointment was felt by both planters and freedmen, at the close of the last year, on account of the small returns which the year's labor had afforded. The crop of cotton was only about one-fourth of the usual yield. Many who cultivated that staple extensively were bankrupted, and the freedmen employed by them realized nothing besides the year's subsistence and a small supply of clothing. Some employers were led to acts of fraud, which required the determined intervention of bureau agents. But, in general, a more generous spirit governed in the division of the crops. Boards of arbitration were established by bureau agents, by means of which disputes were settled without recourse to the courts. Upon settlement many freedmen found that they had during the year run up a store account (in the purchase of articles, many of which were superfluous) larger than they anticipated.

The crops of corn and sweet potatoes were unusually large, and the fear of wide spread destitution thereby prevented.

In entering into contracts for the present year a preference for the system of working for stipulated wages was exhibited. The desire to obtain possession of small tracts of land and to plant for themselves prevailed among the freedmen.

Extensive arrangements had been made for the entry of land under the homestead act, but the failure of the cotton crop prevented it. During the months of November and December, 1867, 419 freedmen were settled by the locating agents. In view of the many advantages which would result from the freed people cultivating small tracts of land on their own account, the assistant commissioner deemed it advisable to assist those engaged in such enterprises by limited issues of provisions until such time as they could gather their crops. He therefore, in February, 1868, issued a circular authorizing such issue to any destitute freedman who could show that he had within his control not less than 10 acres of tillable land under fence, and that he was living thereon. Agents receiving applications to require from the owner of the land a written acknowledgement that he guarantees to the freedmen, in good faith, the occupation of not less than 10 acres of land, tillable and under fence, for at least the period of one year. The issue of supplies thus guarded was continued from February to June, 1868. This plan has succeeded admirably, and as a result the crops of this season in nearly every county, of corn and sweet potatoes, have been sufficient for the supply of the people during the coming year. No general issue of provisions was necessary further than above reported.

The assistant commissioner has paid great attention to the educational interests of the colored people, and has labored earnestly for the establishment of a good school system in the State. Officers and agents of the bureau have been directed to exercise a careful supervision over the condition and progress of the schools, and to aid them by every means in their power. But many obstacles have been encountered. The poverty of the freed people has prevented any considerable contributions by them. The scattered and unsettled condition of the inhabitants of this State has not been favorable to interchange of views or association in this enterprise.

The great majority of teachers of colored schools have been kept in

the field by benevolent associations at the north. The State, from the tax of \$1 imposed on each freedman, has paid toward their support as far as practicable. The progress of the schools has been seriously embarrassed by the lack of a sufficient number of teachers.

The process pursued by officers and agents of this bureau in this State in securing to refugees and freedmen their legal rights has been, in cases of assault and outrage, to call upon the civil magistrate to execute the law; appeal, in cases of unjust action on his part, being taken to the military authorities.

Wherever the local civil authorities have been influenced by prejudice against the freedmen to the perversion of justice, the military power has been interposed to protect the colored man in the rights defined in the civil rights bill and other laws. Magistrates understood further that removal from office would promptly follow continued and wilful dereliction of duty.

Since the withdrawal of military authority, and the complete establishment of the new State government, some disturbances and crimes have occurred, but no more than could have been anticipated during such a transition.

Though the influence of political agitation has been to introduce a source of discord and difficulty, yet no active hostility on the part of white citizens toward the freedmen in their new relations has been reported. On the contrary, the assistant commissioner, in his report for July, said :

Mutual interests and abundant crops tend to harmonize the white and colored men, and cause them to acknowledge their mutual dependence upon each other.

The assistant commissioner, reporting for July, 1868, said :

The freedmen of Florida will hereafter be comparatively independent. The majority of them have now a house or hut, and from 10 to 40 acres of land, well ploughed and fenced. The character of labor has been much improved during the year.

#### GEORGIA.

Brevet Brigadier General C. C. Sibley, United States army, who was on duty as assistant commissioner of the State of Georgia, at the date of my last annual report, continued to act as such throughout the present year.

The organization of the State in sub-districts, each including a number of contiguous counties, with responsible officers in charge, remains substantially unchanged.

At the close of last year the same difficulties arose between planters and freedmen in the settlement of contracts and division of the crops which have been reported with regard to other States; and the same disposition was exhibited by many employers to take advantage of the ignorance and helplessness of the freed people to deprive them of their rightful share of the crops. In his report for November, the assistant commissioner says:

The spirit of oppression is to be found almost everywhere, and, embittered by political differences, has broken out into serious outrages in various localities.

It was reported that in the coast districts and in the southern part of the State great demoralization prevailed, and that the freedmen refused to contract for the ensuing season. Upon an investigation by Major J. R. Lewis, bureau inspecting officer, however, it was found that the state of affairs was not nearly so bad as had been represented; that the freedmen were delaying contracting only in hopes of better terms. The agents of the bureau were instructed to use every effort to secure homes and employment for the colored people during the coming year.

In January the freedmen were generally entering into contracts. Labor was in good demand, and wages as high as during the previous year. Most of the contracts were for a share of the crop. More wheat was planted than ever before in the State. The freed people were reported to be quiet and well behaved, and as a class the most law abiding citizens of the State.

In April, the assistant commissioner states:

The freedmen are working more to the satisfaction of their employers than at any time since their emancipation, and there is but little if any complaint in regard to their general deportment.

No general issue of rations has been made during the year to destitute refugees and freed people, except to those who were inmates of regularly organized hospitals or asylums. In the earlier portion of the winter destitution prevailed to a limited extent. There was but little severe suffering, however, and this was mainly confined to the poorer class of whites. Very few freed people were found begging, and but few applied to the agents of the bureau for assistance. It was deemed best to make no general distribution of provisions. The cases of distress were not very numerous, and the civil authorities were amply able to provide for all their poor. One beneficial result of the non-issue of destitute rations has been that the civil authorities were prompted to exertion in many cases, where otherwise they would have remained passive spectators of the bounty of the general government.

Numerous outrages have been perpetrated upon freed people in this State, some of them remarkable for atrocity. "At Louisville, Jefferson county, in November, a mob arrested a colored man *charged* with the commission of rape on the person of a white woman, and binding him to a stake, piled fagots about him and actually burned him alive." Though the crime charged was one of the most heinous known to the law, yet the accused was executed without trial, and his punishment was simply a barbarous torture. In other instances, freedmen have been tied up and whipped and their houses and property burned. In the majority of cases the civil authorities have failed to punish the criminals.

Previous to the withdrawal of military authority and the complete restoration of the civil government of the State, the officers and agents of the bureau adjudicated civil cases arising on contracts, &c. Either party had a right of appeal from the decision of the agent to that of the assistant commissioner. The civil authorities were not interfered with in their action except under instructions from the military commander. Agents sought to induce parties to settle disputes by means of arbitration. Criminal cases were taken before civil magistrates and courts, the agent acting as counsellor or advisor of the freedmen. In case the action of the court was deemed to be unjust, a full report of the proceedings and evidence was made and the intervention of the military authorities requested.

By circular letter of August 3, 1868, the assistant commissioner announced that the military control over civil affairs having been withdrawn, and the new State government having been established, thereafter, by instruction of the Commissioner, all judicial authority would belong to the civil magistrates and courts, but that officers and agents of the bureau could still materially assist freedmen in bringing their cases before the civil courts, and when advisable, in taking them up to United States courts under the civil rights bill. Agents were instructed to avoid litigation if possible, by having recourse to arbitration, and directed to use prudence and energy in securing justice to the freedmen in this period of transition from military to civil rule.

In this State, also, freedmen have been discharged and driven from their homes for voting contrary to the wishes of their employers. White men have also been abused for the manner in which they have exercised the right of suffrage. The assistant commissioner was directed to relieve distress or starvation occasioned thereby, and to appeal to the commanding general of the military division for a remedy of this evil.

At the beginning of the current year hospitals were in operation at Augusta, Savannah, Macon, Columbus, and Atlanta, and dispensaries at Brunswick, Darien and Albany. The hospital at Columbus was closed December 16, 1867, that at Augusta May 14, 1868, that at Atlanta August 25, 1868; the remaining patients being transferred to the hospitals still in operation, in cases where the local authorities would not assume their care.

Much has been accomplished in the establishment and conduct of colored schools, and the educational interests of the State are in flourishing condition.

The highest number of schools, day and night, reported during the year, is 132; teachers, 174; pupils, 8,930. Besides these there were 80 Sabbath schools, with 502 teachers and 15,141 pupils, and three industrial schools, with 184 pupils.

Public sentiment regarding colored schools has changed very little during the year, except that for the last three months there has been more bitterness exhibited towards all *men* engaged in the work, and there are few who have not received threats either openly or anonymously. It is not known that any have received personal injury, except the colored teacher at Hawkinsville, who was shot and seriously wounded

#### ALABAMA.

Brevet Major General Wager Swayne, who, at the date of my last annual report, was assistant commissioner of this bureau for the State of Alabama, continued to act as such until January 14, 1868, when he was relieved by Brevet Brigadier General Julius Hayden, who, in turn, was succeeded March 31, 1868, by Brevet Brigadier General O. L. Shepherd.

General Shepherd was relieved August 18, 1868, by Brevet Lieutenant Colonel Edwin Beecher, who has continued to discharge the duties of assistant commissioner to the present time.

The organization of the bureau in this State is into sub-districts, comprising each from four to six contiguous counties. So far as they could be had, officers of the regular service have been assigned to the charge of sub-districts, as sub-assistant commissioners. Where they could not be obtained, reliable civilian agents have been appointed to that duty. During the year several of the sub-districts have been broken up, and the officers and agents in charge relieved. Strenuous efforts have been made to contract the operations of the bureau so far as compatible with a due regard to the interests of the freed people, and to reduce the current expenditures to the lowest practicable amount.

The condition of affairs in this State throughout the year has, in general, been quiet and satisfactory. The cordial working together of the agents and officers of the bureau, and the officers in charge of the troops and commanding posts under the military authority, have produced the happiest results. As a rule, the officers of the new State government have shown a careful consideration of the interests of all classes of citizens. This has exerted a beneficial influence on the interests of the colored people and in the tone of public sentiment toward them. The



workings of the bureau have been satisfactory, in the face, in some sections, of violent opposition. The freedmen, often maltreated on the most trifling pretexts, have exhibited feelings of distrust and suspicion, but not of animosity or revenge.

At the beginning of the year planting was retarded and contracting hindered by the political contest then carried on. To remedy this, and facilitate the making of contracts, blank forms were furnished through the various agents of the bureau, and the importance of preparing for the coming season urged.

With the spring the demand for labor increased, affording employment, at fair wages, for all who were able to work, and the freedmen entered upon the cultivation of the soil with a better assurance of being paid for their services than was the case the year previous.

During the winter months considerable destitution prevailed in the middle and southern sections of the State, and especially in and near the larger towns. To relieve the suffering soup-houses were established at Mobile, Selma, Montgomery, Huntsville, and other principal points. Besides, a small issue was made of supplies remaining on hand from those provided under the special relief act of March 30, 1867. These issues were carefully guarded, and their benefits confined to the needy and deserving.

The assistant commissioner took prompt measures to dissipate the belief generally entertained by planters that the general government would assist them in cultivating their lands by advancing money or supplies, and to disabuse the minds of the freedmen of the idea that lands which might come into the hands of the general government by confiscation, or otherwise, would be given to them. The colored people were assured that the government simply proposed to put them on an equal footing with white men, and that to obtain a freehold they must work for the means.

The medical division of the bureau has been much contracted. Two hospitals remain in operation. Their condition is satisfactory. The number of patients has been much diminished.

The freedmen here, as in other States, have shown a great desire to obtain land and homes of their own, and many applications for the entry of public lands have been made. In May the land office had not yet been fully opened for the prosecution of business. On the part of white citizens much opposition is felt to the sale to, or occupancy of land by, the freedmen.

In February, 1868, complaint was made that many freedmen had been discharged from employment on account of voting. In the majority of cases payment, or settlement for labor already performed, was denied. The officers and agents of the bureau were instructed to give prompt and careful attention to this matter; to see that no one suffered extreme want in consequence of being thus discharged, if in their power to prevent it; to use every effort to procure employment for them, and in cases of necessity to issue supplies of corn and bacon. The assistant commissioner reported soon after that those discharged had been employed by others, and in general upon much better terms than those of the first contract. Very few suffered in consequence of being discharged, and the condition of the greater number of them was much improved. This fortunate result was due, in great measure, to the advance in the price of cotton, which enabled planters to cultivate more land than they had at first contemplated.

Cases of violent outrage upon freed people have not been very frequently reported, though the organization known as the "Ku-Klux

Klan" have abused colored men in some sections of the State. The disturbed condition of civil affairs, the apathy of the courts, their general indisposition to take speedy action in cases referred to them, as well as the want of confidence in their decisions on the part of the freed people, have called for the most active vigilance on the part of officers and agents. In some districts civil officers failed to discharge their duties as required by State laws, and in some instances refused to act at all. The powers of the assistant commissioner might have been inadequate to these cases, but the command of the military sub-district having been vested in the same person, the rights of the freedmen were maintained.

In his report for April, the assistant commissioner says: "The stationing of troops in the more turbulent districts of the State by the commanding officer of the sub-district of Alabama, and the late action of military courts in punishing offenders for outrages upon loyal persons, white or black, have greatly tended to restore the confidence of the freed people in the government, and also prevent the repetition of these crimes.

Since the inauguration of the new State government the assistant commissioner states that the general tone of the sub assistant commissioner's reports is good.

The newly installed civil officers appear to act promptly and justly. In the sub-district of Demopolis, however, much bitterness is expressed against the bureau agent, and threats of driving him away made. Two murders were reported here during the month of August. This section, the west and central, has been one of the most troublesome, and contains a number of turbulent and dangerous characters, who have heretofore and apparently do now keep the civil authorities in awe and set them at defiance.

The great necessity of the thorough education of their children and the many benefits which would result therefrom are fully appreciated by the colored people; but their poverty has crippled their efforts in this cause. The unsettled condition of affairs and the opposition manifested in some sections have confined the operations of freedmen's schools almost entirely to towns in which agents are stationed.

Mr. R. D. Harper, the superintendent of education, in August estimated the number of schools organized and in operation in the State of Alabama at 72, with an average attendance of 3,562 pupils. Besides these, some schools have been maintained by private effort. These schools compare favorably with the average of schools in the north. No more competent or devoted teachers can be found anywhere than those engaged in this work. Mr. Harper believes there are 100,000 children in the State who have never learned the alphabet or been inside of a school house, and says that there are 91 points in the State where, in all, 145 new schools might be organized, each in the midst of a dense colored population.

#### MISSISSIPPI.

Brevet Major General Alvan C. Gillem, in addition to his duties as commanding officer fourth military district, has had supervision as assistant commissioner of the affairs of the bureau in the State of Mississippi.

The State is divided into 24 sub-districts, being in charge of seven officers of the regular army, eight officers formerly of the veteran reserve corps, and eight civilian agents.

According to the report of the assistant commissioner the condition of the freed people throughout the State is not only improving but is satis-

actory. The crops, upon which the material interests of the freedmen are based, have yielded an abundant reward for their labor.

General Gillem issued a circular January 25, urging the planters to devote more land and labor to the production of corn and wheat, and informed them that the impression which prevailed among many persons that the government intended to advance supplies or money to aid them in cultivating their lands was erroneous. Planters were thereby induced to devote more land to the raising of breadstuffs than has before been customary. The drouth so much feared at one time was soon afterwards succeeded by steady and continuous rains, causing apprehensions equally serious, but from neither cause has any general injury to the crops been sustained, although in some localities they are not as large as otherwise would have been the case.

The freedmen have worked well; most of them have by the experience of the last few years acquired sufficient knowledge not only to understand the obligation of contracts, but to enter into no agreement contrary to their apparent interests, and the policy of the assistant commissioner has been such as while requiring freedmen to carry out their obligations would compel employers to an equal observance of them.

The "share system" has prevailed as a rule throughout the State. By avoiding extravagance and husbanding the proceeds which will fall to their share, the masses of the freedmen should be enabled to pass through the coming winter without suffering, and many of them be in a condition to commence planting on their own account in the spring.

Many freedmen have complained of being discharged from labor for attending political meetings, some for voting in opposition to the political views of their employers, and others of being intimidated from voting at all or compelled to vote contrary to their own wishes. On the other hand a number of complaints have been preferred by employers against freedmen (some of them minor and not entitled to vote) for violation of contract in leaving their work when it was most needed, to engage in politics.

Prior to the election officers and agents of the bureau were furnished with instructions as follows:

The right to discharge an employé depends upon the nature of the agreement or contract existing between the parties. A laborer employed by the day can be discharged without notice or assignment of cause upon payment of wages due. The same is the case with week or month. Laborers employed by the year cannot be discharged without legitimate cause prior to December 25, 1868. Those working on shares cannot be sent off or discharged without clear and definite proof of violation of contract by them.

Under these instructions many freedmen working on shares who had been discharged were returned to their work, and will be secured in the fruits of their labor.

The animosities engendered by a political campaign and election have resulted in many places in personal abuse and outrage. In each case reported steps have been taken to bring offenders to justice.

In regard to marital relations of freed people the assistant commissioner reports but little improvement.

Cases of illegal apprenticeship, although not as frequent as heretofore, still arise, but as instructions on this point are positive and are not opposed by the civil courts, a number of minor children have been restored to their proper natural guardians.

An agency for locating public lands under the recent "homestead act" was established in August last. The agents of the bureau have been directed to inform freedmen and others of that fact, and maps and charts, showing what lands are open for entry, have been prepared and distributed.

The assistant commissioner reports of the administration of justice that the higher tribunals, as well as many of the local or inferior courts, have a reputation for impartiality in their decisions without regard to race or color. Where abuse of power, or a failure to properly exercise it, by judicial or other civil officers, has been reported and clearly shown to exist, the assistant commissioner, in his capacity as commander of the military district, has removed such officers and appointed competent men in their stead.

Nevertheless, injustice and oppression cannot at all times be prevented, and their entire suppression is rendered difficult if not impossible.

Unjust decisions by the courts in civil cases affecting the interests of the freedmen are by no means final in their result, but upon satisfactory evidence of the fact are set aside and such action taken by the bureau as equity would require.

At all times the demand for labor has been greater than could be supplied, and consequently but a small degree of destitution has prevailed.

As high a rate as 50 cents per 100 pounds (and rations) has been offered hands to pick cotton—from 150 to 200 pounds being considered an average day's work.

The operations of the educational department have been for the last few months in a measure suspended, so far as they pertain directly to the conducting of schools, owing to the fact that with but few exceptions the several educational and benevolent societies co-operating with the bureau have suspended their schools for a summer vacation.

The superintendent of education made a special effort to secure the continuance of those schools located in the healthy districts of the State, and succeeded in keeping open 75 day schools, with an average number of 3,500 pupils and 76 teachers, (38 being colored.) Thirty of these schools are conducted under the auspices of the benevolent associations of the north. The number of teachers employed in the regular season is 102, and the number of pupils who have received instruction in the regular schools is about 14,000.

The extreme poverty of the freedmen has made it necessary for the bureau to sustain a considerable proportion of the expenses of conducting the schools. But it is expected that when the crops are harvested the freedmen generally will be able to contribute much more for this object.

Three hospitals were in operation with capacity for 480 beds at the commencement of the year. Of these two have been discontinued, so that now only one hospital and two dispensaries are in operation. The hospital (in Vicksburg) contains some 200 patients, most of them old, infirm and permanently helpless.

During the last quarter (comprising the most sickly season of the year) about 1,800 persons have been treated in the hospitals and dispensaries—the number of deaths being 33.

The "Howard Orphan Asylum" in Lauderdale, supported entirely by the bureau, has at present 105 inmates; that at Natchez 163, all white.

#### LOUISIANA.

At the date of my last annual report Brevet Major General J. A. Mower was assistant commissioner of this bureau for the State of Louisiana. December 4, 1867, he was relieved by Lieutenant Colonel W. H. Wood, who temporarily performed the duties of assistant commissioner until January 2, 1868, when Brevet Major General R. C. Buchanan was assigned. General Buchanan was succeeded August 24, 1868, by Brevet Major Gen-

eral Edward Hatch, who has since continued to perform the duties of the office.

The State is divided for bureau purposes into eight sub-districts, comprising, on an average, six parishes each. An officer or agent is in charge of each sub-district, under whom are subordinate agents, each having charge of one or two parishes.

At the close of the last year the situation of affairs in Louisiana was gloomy. The crops had proven almost a total failure. Cotton planting was retarded, and in some cases prevented, by the inundation, and the remnant of the crop destroyed by the army worm. The inundation was attributed to the condition of the levees on the Mississippi river. Some corn was produced in the northwestern and western sections, and something of a crop was gathered on the sugar and rice plantations in the parishes on the Gulf coast and in the vicinity of New Orleans; but in no portion of the State was there a profitable yield.

In his report for November, 1867, the assistant commissioner says: "The condition of the colored race in this State is not promising. The poor results of the year's labor have had a depressing effect upon many planters and freed people. The latter have done all that was in their power; protection and assistance have been afforded by the bureau to the full extent of jurisdiction. In hundreds of cases the entire yield of the crops will not pay the wages of the laborers. Under these circumstances, sharp practices are resorted to by creditors to seize what little they could find upon the plantations. Some planters, who have drawn largely upon their merchants in New Orleans during the year, finding their inability to make payments, ship and sell their crops in other markets. Others discharge or drive off their laborers, alleging that they can feed them no longer."

Officers and agents of the bureau were instructed to put forth every effort for the prevention of, or obtaining of redress for, frauds upon laborers. The cases were brought before the civil authorities. Many of the latter, however, have exhibited the greatest indifference in cases where freedmen are concerned, and, by delay and neglect of their complaints, practically refused to do justice. The State laws make the laborers' dues a first lien on the crops; but in every case of prosecution of their just demands at law security was demanded, in most cases, far exceeding in amount the ability of the freedmen to give. Thus the practical application of the civil laws was oppressive, though evidence of premeditated maladministration by magistrates were hard to find.

The civil authorities failed to relieve the destitution that ensued. It therefore became necessary for the bureau to take some measures to prevent severe suffering. Officers and agents were instructed to forward lists, based upon careful investigation, of the indigent and helpless. This class included those who, from age or disease, were utterly unable to obtain a support, and for whom the parish authorities either could not or would not provide. The number of this class reported in December was 1,447, the value of supplies distributed to them during the month was \$3,411 88. In March the number of indigent and helpless aided was 2,210, the value of supplies given them was \$4,919 52. In June, 1868, the assistant commissioner issued a circular stating that in view of the fact that corn and vegetables were becoming plenty, and as it was thought that the few decrepid and infirm persons could be provided for by the civil authorities, the issuing of rations to indigent and helpless would be discontinued after the supplies then in the hands of the agents were exhausted.

Great benefit has resulted to the colored people of this State from the operations of the medical branch of the bureau. At the beginning of the present year two hospitals were in operation, one at New Orleans with

capacity to accommodate 500 patients; the other at Shreveport with capacity to accommodate 100 patients. Dispensaries were also conducted at New Iberia, Algiers, and Monroe. None but the most extreme cases of sickness were admitted to the hospital. Connected with the hospital at New Orleans was a "Dependents' Home," in which a limited number of old and decrepit freed people were cared for.

Strenuous efforts have been made gradually to reduce the medical establishment. The dispensary at New Iberia was discontinued in December, and in May, 1868, a dispensary was substituted for the hospital at Shreveport, the remaining patients, 36 in number, being transferred to hospital at New Orleans. A saving to the government of about \$700 per month was thus effected.

September 1, the assistant commissioner, by a circular, announced that in view of the prospective discontinuance of the medical department of the bureau, no more disabled, superannuated, or destitute sick freed people would be admitted into the New Orleans freedmens' hospital, and stated that the new State government being now in full operation, this class must be provided for by the local civil authorities.

In order to relieve the extreme want occasioned by the bankruptcy of planters, and the consequent non-employment of freedmen, the assistant commissioner was directed, January 1, 1868, to advance supplies of provisions, taking formal first lien on the crops, and movables used in the cultivation of the land, for reimbursement. This was accordingly done, bonds with ample security being taken to secure the fulfilment of the agreement. The State was divided into two agricultural districts, and for each a factor of the bureau designated to whom the crops, when harvested, should be consigned, and who should, upon sale, remit to the bureau agent the amount of the planter's indebtedness to the bureau and the freedmen employed. This plan produced the best results; enabled planters, otherwise powerless, to resume operations, and induced merchants, who had hitherto refused, to advance supplies.

The educational work has been vigorously prosecuted. The measure of success attained is quite gratifying considering the obstacles that have been encountered—the poverty of the freedmen, the small amount of aid received from benevolent associations at the north, and, in the more remote sections, the prejudice and opposition of white citizens. In May the total number of schools in operation was 217, with 244 teachers and 10,971 pupils.

While the freedmen, as a class, exhibit a very general interest in religious matters, many of their habits still show the debasing influence of the slave system. Prominent among these is the want of a due appreciation of the obligations of the marriage contract. In this respect, however, their conduct is undergoing much improvement, and cases of desertion of wife and family are becoming rare.

The condition of society in the more remote and sparsely settled parishes is greatly disorganized. In some sections the treatment of the colored people has been deplorable. Outrage and crimes of every description have been perpetrated upon them with impunity. In these sections the character of the local magistracy is not as high as could be desired, and many of them have connived at the escape of offenders, while some have even participated in the outrages. In other sections lawless ruffians have overawed the civil authorities, "Vigilance Committees" and "Ku-klux Klans," disguised by night, have burned the dwellings and shed the blood of unoffending freedmen. In many cases of brutal murder brought before the civil authorities, verdicts of justifiable homicide in self-defence have been rendered. The agents of the bureau, in obedience to their instruc-

tions, have exerted all the powers confided to them for the protection of the freed people, first referring the cases to the civil officials, and then, if justice is not rendered, calling on the military authorities for their action. For a few months past the assistant commissioner reports a decrease in the number of outrages committed, and more efficient measures on the part of the civil authorities for the apprehension and punishment of the perpetrators.

#### TEXAS.

Brevet Major General J. J. Reynolds, commanding fifth military district, who was assistant commissioner of Texas at the date of my last annual report, has since continued to act as such.

The unsettled condition of this district has rendered necessary the distribution of a large military force over the State.

The commanding officers of military posts are also acting as agents of the bureau for their respective districts, so that a comparatively small force of civilian agents are on duty in this State. By these officers the operations of the bureau have been conducted as efficiently as circumstances would permit. They have power to hear and adjudicate cases to which freedmen are parties, and to impose and collect fines. Their mode of procedure has been conformed to that prescribed by State laws for justices of the peace, though their jurisdiction has not been limited by the amount in controversy. They are forbidden to receive fees for any services rendered by them. Sheriffs and constables have been directed to execute the process of the bureau. Appeal lies from the bureau agent to the assistant commissioner of the State.

The magistrates and judges of the higher courts of law are, in general, fair and impartial in the discharge of their duties, but juries in their verdicts, and in the weight they give to testimony, have almost always discriminated against the freedmen.

A fearful amount of lawlessness and ruffianism has prevailed in Texas during the past year. Armed bands styling themselves Ku-klux, &c., have practiced barbarous cruelties upon the freedmen. Murders by the desperadoes who have long disgraced this State are of common occurrence. The civil authorities have been overawed, and, in many cases, even the bureau and military forces have been powerless to prevent the commission of these crimes. From information on file in the office of the assistant commissioner it appears that in the month of March the number of freedmen murdered was 21; of white men, 15; the number of freedmen assaulted with the intent to kill, 11; white men, 7. In July the number of freedmen murdered was 32; white men, 7. It has been estimated by reliable authority that in August, 1868, there were probably 5,000 indictments pending in the State for homicide, in some of its various degrees, in most cases downright murder. Yet since the close of the war only in one solitary case (that of a freedman who was hung at Houston) has punishment to the full extent of the law been awarded.

In consequence of this condition of affairs a kind of a quiet prevails among the freed people lacking but little in all the essentials of slavery. In the more remote districts, where bureau agents are 50 or 100 miles apart, and stations of troops still further distant, freedmen do not dare or presume to act in opposition to the will of their late masters. They make no effort to exercise rights conferred upon them by the acts of Congress, and few even of Union men are brave enough, or rather foolhardy enough, to advise them in anything antagonistic to the sentiments of the people lately in rebellion.

Owing to these causes and the lack of schools the freedmen of Texas do not compare favorably with those of the States east of the Mississippi river. They have not made the same progress, and are less thrifty and provident. Nevertheless they have worked faithfully and industriously, as the condition of the crops testifies. The assistant commissioner remarks that each succeeding month they have done better and better, and complaints that they will not work are becoming very rare. It is believed that more land was planted in cotton this year than at any previous time since 1861. Notwithstanding the complaints of poverty prevalent in the winter of 1867, the planters found means to work their plantations without aid from the government. The crop this year has yielded a good return for the capital and labor invested. Doubtless the failure of this important crop in the past two years has been one of the leading causes of ill treatment of freed people by whites. This year it is hoped the laborers will receive their fair proportion of the proceeds. Heretofore defrauding them has been the rule, but lately the assistant commissioner reports an improvement in the feelings of planters toward freedmen.

No serious destitution has prevailed in this State. Very few freed people are in want, and these comprise only the old and infirm. This class is generally provided for by relatives and friends. Supplies are abundant and cheaply produced, and no necessity exists for the issue of rations.

No hospitals have been in operation in the State under the auspices of the bureau during the year, nor are any medical officers on duty in the bureau in this State.

The progress of the educational work in Texas has been much impeded by the poverty of the freedmen, and in the more remote sections by the determined opposition of white citizens. The freedmen's schools do not compare favorably with those of many other southern States.

#### ARKANSAS.

Brevet Major General C. H. Smith, colonel 28th infantry, has continued to perform the duties of assistant commissioner of Arkansas throughout the present year.

The organization of the bureau in this State has not been materially changed during that time, and is substantially the same as that adopted in other States.

Agents have been instructed to exercise careful supervision over the interests of those committed to their charge; to have stated times for visiting the different sections of their respective districts, and to give notice of such times in order that all persons wishing to do business with them may know when and where to meet them; and to make full monthly reports on all subjects connected with the due performance of their duties and the general welfare of the freed people.

At the beginning of the present year, owing to the same causes which operated in other States, much destitution prevailed, particularly in the cotton-growing counties in the southeastern portion of the State.

By General Order No. 15, of December 19, 1867, from headquarters military sub-district of Arkansas, the county authorities were called upon to make suitable provision, under the State laws, for the support of their poor. This order had the effect in many localities of stimulating the civil authorities to exertion, but was of little influence in cases where whole communities were destitute.

In January the assistant commissioner reported that destitution was



decreasing; that no rations had been issued except to the inmates of the two hospitals and asylums at Little Rock and Helena, and that in a number of counties paupers of either color were cared for by the local authorities.

The hospital establishment in this State has been materially reduced during the year. In December, 1867, the hospitals at Fort Smith, Washington, Camden, and Pine Bluff were discontinued and dispensaries established in their stead. The permanently sick and disabled were transferred to the hospital at Little Rock. In April, 1868, the dispensary at Washington was discontinued, and in May those at Pine Bluff and Camden, as no longer necessary. A dispensary was substituted for the hospital at Helena, and 12 patients remaining sent to the hospital at Little Rock.

Great attention has been given to the important work of fostering the educational interests of the freed people. It has been the aim of the assistant commissioner to dot the State all over with school-houses as thickly as possible. Schools, previously confined to the principal towns, have been pushed into the interior and more remote sections.

In November, 1867, by circular, the assistant commissioner announced that aid would be given to freed people in erection of school-buildings only when they had secured a title in fee simple to sufficient ground for the purpose; the title to be vested in a school board chosen by advice of the agent from among the colored people. Agents were directed to visit all places in their respective districts, where schools could be established, call meetings of the colored people and advise them in the choice of their school board, the selection of a site, and the general management of their educational affairs. The superintendent and assistant superintendents have addressed meetings of freed people at various points on the advantage and necessity of educating their children. The freedmen have shown great interest in the work, and nothing but their poverty has prevented them from assuming a larger proportion of the expense incurred. Considering the disadvantageous circumstances under which the school work has been prosecuted, the progress secured is encouraging.

The administration of justice by the civil authorities has been far from effective. Lawless violence and ruffianism have prevailed to an alarming extent.

Three churches belonging to freedmen in Ouachita county were burned by parties unknown on the night of April 4, 1868. The assistant commissioner attributes this wanton act to the bitter feelings aroused by the part the freedmen had taken in the then recent election, and states that similar deeds are not uncommon. "The Ku-klux Klan serve their mysterious notices and make their midnight rounds in different parts of the State. Every precaution has been taken with the forces at hand. Troops were stationed at 24 different points in the State; but even this distribution has failed to check the evil. The civil law in this State, so far as the punishment of crime is concerned, exists only in name."

On the night of May 16 a freedmen's church and school-house (not erected by government aid) in Mississippi county was burned by incendiaries. Several other gross irregularities occurred in different sections of the State during this month. Each case was as fully investigated as practicable, but with no satisfactory result, so far as the arrest or punishment of the criminals is concerned.

July 25, 1868, a circular was issued by the assistant commissioner that civil government having been re-established, thereafter no agent, officer, or employé of the bureau should exercise any authority not in harmony with the laws of the State.

In his report for August the assistant commissioner says:

Affairs in the State are in a very unsettled condition. Immediately after the restoration of the civil government all military restraints were removed, and, as some little time was necessary for the appointment and qualification of civil officers, the people were left, as it were, without any government. Disorderly persons took advantage of this state of things, and, in some counties, entered upon a course of lawlessness, rowdiness, and depredations that rendered even life insecure. The result is a reign of terrorism that has prevented appointees to civil offices in many counties from qualifying and entering upon their duties. Union men have been driven from their homes, and freedmen have suffered the grossest outrages. Mr. E. G. Baker, agent in Crittenden county, was shot and severely wounded August 12, 1868. The same officer lost an arm by a similar attempted assassination at Hamburg, in Ashley county, about two years before.

#### KENTUCKY.

Brevet Brigadier General S. Burbank, United States army, has continued to discharge the duties of assistant commissioner of this State throughout the year.

The number of officers on duty at date of last annual report was 19; remaining at this time, 8; number of civilian agents employed October, 1867, 17; remaining, 1; number of clerks employed at present date, 19.

It was hoped that by the discharge of officers and agents a virtual discontinuance of the bureau could be effected in February, 1868, and instructions were issued to that effect. The receipt of information of the proposed reduction throughout the State was followed by an immediate and large increase in the number of outrages and crimes perpetrated upon freed people. It was therefore found necessary to modify the proposed action. A reorganization of the State was effected in July, 1868, whereby the operations of the bureau were greatly curtailed and expenses reduced about \$48,983 per annum.

Practically no provision has been made by the State authorities for the care of sick and destitute colored people. A hospital for such cases is in operation at Louisville, Kentucky, to which patients from all parts of the State have been admitted. During the year 763 cases have been treated. Dispensaries have been conducted during the year at Louisville, Covington, Lexington Mount Sterling, Paducah, and Owensboro'. The dispensary at Paducah was discontinued in December, 1867; that at Mount Sterling in May, 1868; that at Lexington in July, 1868.

Efforts have from time to time been made to induce the civil authorities to take charge of the hospitals and dispensaries, and to provide for the sick and destitute, but without success. July 16, 1868, the hospital at Louisville was broken up. After careful inspections, and the discharge of all but the most extreme cases of permanently disabled, it was found that 56 remained, who must inevitably suffer unless cared for by the bureau. These were received in a "Home for the Destitute" which was substituted for the hospital. The orphan asylum is still in operation at Louisville.

Lectures on the subject of education have been delivered to the freed people at different points throughout the State by Brevet Colonel B. R. Runkle, Chaplain T. K. Noble, and by sub-assistant commissioners and assistant superintendents of schools. Many obstacles have been encountered. But little aid has been received from abroad. Benevolent associations sustain but seven schools in the State. Active opposition has been met in some portions of the States. During the year seven school-houses and one church have been burned or otherwise destroyed by mobs. Teachers have been mobbed and driven away. In the southwestern part of the State the people are bitterly opposed to the education of colored people. Schools, however, have been established along

the river and railroads, and recently vigorous efforts have been made to penetrate the back districts and start the work. Officers engaged in the enterprise have been abused and their lives threatened.

During the year 31 school-houses have been erected by the bureau in Kentucky. The superintendent of education estimates that 20,000 children have received the rudiments of an education in the schools supported by the bureau.

More than 1,100 colored soldiers in Kentucky have received their bounty through the bureau during the year. In many cases delay in payment has been unavoidable. It has been difficult to reach claimants in remote and mountainous districts. Having served in the Union army, they have been the especial objects of persecution, and in hundreds of instances have been driven from their homes. The outrages perpetrated by the Ku-klux Klan have caused a great exodus into other States.

By the State laws a capitation tax of \$2 is imposed on each negro or mulatto over the age of 18 years, the proceeds to be applied to the support of colored paupers and the education of colored children. Complaints of the misapplication of this fund being universal, the freed people to the number of 10,000 signed a petition, which was submitted to the legislature, praying a redress of the grievance. The legislature amended the law, not by repealing or reducing the tax, but providing that the whole amount raised should go to the pauper fund. The practical working of this law is that in many places the tax would be collected, in some cases (as reported) two or three times the amount authorized by the law. In one or two localities the amount due for school purposes was paid; in others (where it has been used at all) the tax has been swallowed up by men who have old servants with them, and who receive \$3 or \$4 per week from the county court for the maintenance of such servants. This is the only law on the statute-books of Kentucky providing for the care of colored paupers. Practically it is worse than no law at all.

The number of outrages reported as committed by whites upon colored people in the State of Kentucky during the year is: murders, 26; rapes, 3; shootings, 30; otherwise maltreated, 265; total, 327. The mode of procedure by bureau officers in such cases has been to take the complainant and his witnesses before a United States commissioner, who, upon affidavit of complainant in due form, issued a warrant for the arrest of the accused. When arrested, the accused is taken before the commissioner and examined, and if the evidence sustain the charge he is held in bond or committed for trial at the next session of the United States district court. Another and more successful plan has been to bring the witnesses before the United States grand jury and procure an indictment and warrant for the arrest of the accused. But the difficulty in bringing offenders to punishment has been, not the procurement of indictments or warrants, but in making arrests. The United States marshals and bailiffs have found it difficult to make arrests in some parts of the State, and in others impossible. The people of the locality where the outrages occur warn, conceal, and protect the evil-doers. Take for instance the case of George W. Northcraft, who murdered David Coulter, an inoffensive colored preacher, in cold blood; this man Northcraft rides through the country armed and attended by a body-guard, and the marshals do not succeed in capturing him. In some districts one white man is seldom, if ever, brought to justice for murdering another. The United States marshal of the district has warrants unserved for the arrest of 25 offenders.

Outside of the large towns there has been comparatively little desti-

tution. A small quantity of coal and clothing have been issued to prevent extreme suffering. The total number of rations issued to colored people sick in hospital and to the destitute in other parts of the State was 82,395; value, \$17,714 07.

During the year the average rate of monthly wages has been for males \$17 49; for females, \$8 74, besides rations and quarters. Owing to the arguments of employers very many of the labor contracts made have not been submitted to bureau agents for inspection and approval. As a result the contracts are generally verbal, entered into without the presence of white witnesses. This leaves the laborers without a remedy in the State courts. In many cases of contract for a share of the crop the freedmen have been driven away as soon as the crops were secured, the employers calling to their aid the Ku-klux or other bands of midnight prowlers.

Notwithstanding these disadvantages a majority of the freedmen have labored faithfully. Many have become property-holders, and wherever they have been fairly treated they have shown marked improvement in every respect. Complaints have been made that freed people crowded into the towns. Two reasons are assigned for this: first, to take advantage of the facilities for educating their children; second, because they are molested and driven out of the country by the Ku-klux or regulators, and fly to the towns for protection.

The State of Kentucky discriminates against colored children bound apprentices, by not requiring the persons to whom the children are bound to educate them. This has given the agents of the bureau much trouble, and through their aid many children bound by the State courts have been released by the United States court.

#### TENNESSEE.

Brevet Major General W. P. Carlin has continued to discharge the duties of assistant commissioner in this State.

The State is divided into the sub-districts of Nashville, Pulaski, Chattanooga, Knoxville, and Memphis, with an officer or agent in charge of each.

At the close of the year 1867 the organization of the secret society known as the Ku-klux Klan took place. General Carlin, assistant commissioner, early called the attention of the governor of the State and the military authorities to the danger of permitting this society to continue its operations. The number of outrages perpetrated by this band, or by desperadoes apparently belonging to it, has been very great. The intimidation of the colored people seemed to be its object, to effect which colored men are frequently taken from their beds at night and flogged unmercifully, and occasionally killed. These outrages, and occasional efforts of the colored men to resist them, have given to several counties the character of lawless and disorderly communities. Since the assembling of the legislature the fear that the militia would be called out to preserve the peace of the State has had a great effect in restoring quiet, and for a few months past the number of outrages has greatly decreased.

The power of the bureau to administer justice having been withdrawn, the colored people have had to rely on the civil authorities to enforce their rights. In the large cities, and in East Tennessee, and occasionally in Middle and West Tennessee, justice has been impartially administered in matters arising out of contracts; but the enforcement of the laws in criminal cases has been very imperfect.

During the year ending July 1, 1868, 179 homicides were committed in

the State. Many of the victims were freedmen, and some of the murderers were, also.

In many cases of assault or other crime upon freed people, when the victim prefers his complaint, the criminals turn around, swear out a peace warrant against the complainant, have him put under large bonds to keep the peace, and the security not being forthcoming, have him marched off to jail. This is the manner in which the freed people receive *justice* at the hands of civil authorities in some sections.

The crops this year seem to be very good. This is the best evidence that the colored men have labored faithfully.

No rations have been issued to colored people or whites during the past year, except to the sick in the hospital at Nashville, and to the inmates of the orphan asylum at Memphis, except also a small quantity of bacon and meal, costing \$394 85, issued to destitute people (43 white and 357 colored) at Memphis, in February and March.

But one hospital, located at Nashville, has been maintained in this State by the bureau during the year. Earnest efforts have been made to induce the municipal authorities of Nashville to make immediate provision for the sick and destitute freedmen who have hitherto been cared for by the bureau. It is much to be regretted that these efforts have thus far been unsuccessful. The strictest economy compatible with the demands of humanity has been observed in the conduct of the medical division, and by its operations much suffering has been prevented or alleviated, and many lives saved.

A very important branch of the labor of the bureau has been the collecting and disbursing of bounty claims to colored soldiers or their widows and heirs. The amount disbursed by the agent at Nashville alone during the year is \$83,402 03.

The most important work of the bureau during the past year has been the erection and repair of school buildings and the employment of teachers. But little pecuniary aid has been received from the colored people. In the month of June, 1868, there were in operation 120 schools, with 161 teachers, (49 colored and 112 white,) and 8,246 pupils. A few schools have been put in operation under the new school law, and the teachers in part paid from the State school fund. But the operation of this law has been slow.

During the year Mr. Newton, teacher at Somerville, Tennessee, was cruelly beaten, and his life threatened. At the request of the assistant commissioner troops were sent there, and Mr. Newton resumed his school. At Saulsbury, Mr. Frost, a teacher, was cruelly abused and punished at night by a party of disguised men. At Pocahontas Mr. W. S. Holly was maltreated in the same manner. The school-houses at Wartrace, Carthage, and a few other places, were burned by unknown incendiaries; but for several months past such outrages have ceased, and the opposition to colored schools is decreasing.

#### CONCLUSION.

1st. Many treaties have come to me from southern men, colored and white, and from several assistant commissioners, to urge upon Congress the continuance of the operations of this bureau beyond the time of its limit by law. But after having carefully considered the whole subject I believe it better not to do so. It is extremely difficult to induce the cities and counties to assume the charge of the indigent, and they will not do so while the general government furnishes assistance. Much suffering will doubtless result from the complete withdrawal of the

bureau during the coming winter in Virginia and Mississippi, unless some provisions be made by the district commanders. I therefore recommend a special appropriation to be placed in their hands to enable them to defray the expenses of the freedmen's hospitals in Richmond and Vicksburg. They already have the power, while these States remain unreconstructed, to give the same protection to freedmen as to other people under their jurisdiction.

2d. There is also a hospital in this District for which I ask an appropriation. It contains the aged and infirm that had accumulated at Freedmen's Village, and many sick people from Virginia and Maryland, who came to Washington as refugees. The city authorities do not deem them properly charged to the city corporation. While I remain in charge of the educational work and the payment of bounties I can with very little trouble take the charge of this hospital, doing it without establishing a precedent, as I should do by continuing any kind of relief in a State outside of this district.

There is so much poverty in this city among refugees and freedmen that I fear the withdrawal of the generous aid of the government will be the occasion of extreme want and suffering. I therefore earnestly recommend that every possible aid be granted through the channel of labor upon the public grounds and avenues, and that all direct relief be granted through the mayor and the city authorities.

3d. The hospital in New Orleans, which is also an asylum for the aged, infirm, and insane, has not yet been closed. I recommend a small appropriation for this hospital, to be placed in the hands of the department commander.

4th. Congress has made appropriations for the rental, repairs, and construction of buildings for educational purposes. This money I have expended, as I believed was intended in the appropriation, aiding universities, colleges, normal schools, and schools of lower grade in this District and throughout those States where there was an active work of education in progress. This work was conducted by corporate bodies, organized benevolent associations, churches, and boards of trustees, with which I have co-operated in accordance with the express terms of the law. But as a protection to disbursing officers I have directed them to retain these buildings or lien upon them upon their books. Now, I propose, unless Congress otherwise directs, to transfer the said buildings to the societies and trustees referred to, provided they guarantee that their use or proceeds of their rental or sale shall be devoted strictly to the purposes for which the appropriations were made. After taking legal advice I am satisfied that this disposition of these structures will carry out the purpose and intent of the law.

5th. Great efforts have been made in this District to set in operation colored schools, of every grade, from the infant class to the university. To encourage this work, and make it an honor to the capital, larger appropriations are necessary than can be made by the city corporation. I therefore earnestly recommend that to them, in conjunction with the white schools, a grant of public lands be made by act of Congress.

6th. I will forward a supplementary report as soon after the closing of this bureau as practicable, when I hope to be able to give a succinct account of its operations from the beginning, and a résumé of the results accomplished by this branch of the War Department. I feel deeply grateful to the officers and agents, who have worked hard and successfully to carry into execution the provisions of the law. The extent of their work is presented in the body of the report. The following is my estimate of funds to be appropriated, and the disposition to be made of them :

*Estimate of amount required for maintenance of following hospitals for one year.*

Locality.	No. of permanent- ly disabled pa- tients.	No. of physicians required.	Aggregate pay of physicians.]	No. of attendants required.	Aggregate pay of attendants.	Medicines, &c., per annum.	Daily rations, at 20 cents per ra- tion.
Washington, D. C.....	200	2	\$2,160	25	\$3,488	\$2,000	\$14,400
Richmond, Va.....	300	1	1,200	30	4,080	3,000	21,600
New Orleans, La.....	180	2	2,160	15	2,280	2,000	12,960
Vicksburg, Miss.....	150	2	2,160	12	1,920	1,500	10,800
	830	7	7,680	82	11,760	8,500	59,760

Estimated aggregate cost, \$87,700.

O. O. HOWARD,  
*Major General, Commissioner.*

Hon. J. M. SCHOFIELD,  
*Secretary of War.*

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